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OFFICIAL REPORT

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THE MADRAS LEGISLATIVE ASSEMBLY.

Wednesday, the 3rd December 1947.

The House met in the Assembly Chamber, Fort St. George, at eleven of the clock, Mr. Speaker (THE HON. SRI J. SIVASHANMUKHAM PILLAI) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

Prevalence of Typhoid in Cuddapah.

536-A *Q.*—ABDUL HAMEED KHAN SAHIB BAHADUR (on behalf of Shah Alam Khan Savoi Sahib Bahadur): Will the Hon. the Minister for Public Health be pleased to state—

(*a*) whether the Government are aware of the fact that typhoid is prevalent in the town of Cuddapah in an epidemic form and that this disease has taken a heavy toll of lives; and

(*b*) if so, what steps the Government have taken or propose to take to deal with the situation?

THE HON. SRI A. B. SHETTY:—" (*a*) Typhoid is prevalent in the municipality. Seven deaths having occurred from the disease during the past two months. The disease cannot be said to be prevailing in an epidemic form.

" (*b*) Necessary preventive measures including inoculation on contacts against typhoid are being taken."

Communal unrest in Wynaad.

* 536-B *Q.*—M. MUHAMMAD ISMAIL SAHIB BAHADUR (on behalf of A. K. Kaderkutty Sahib Bahadur): Will the Hon. the Minister for Home be pleased to state—

(*a*) whether the attention of the Government has been drawn to the article entitled " The Intrigues of Agent Provocateurs " (ലഹളപ്രോകന്മാരുടെ കുത്തിത്തിരുപ്പുകൾ) appearing on page 2 in the *Deshabhimani*, dated 18th November 1947, regarding the serious communal unrest in Wynaad arising out of the course of events narrated in the said article;

(*b*) whether the Government have received representations from aggrieved Muslims regarding the outrages committed on them as alleged in the article; and

(*c*) what action has been taken by the Government to afford protection to Muslims and to preserve peace and harmony in the Wynaad taluk?

THE HON. DR. P. SUBBARAYAN:—" (*a*) Yes.

" (*b*) No representations have been received.

" (*c*) Does not arise."

P. K. MOIDEEN KUTTY SAHIB BAHADUR:—" In view of the fact that this Government is a secular Government and that this Government is interested in keeping law and order, will the Government be pleased to call for a report from the District Magistrate of Malabar with regard to the condition of activities in that district? "

THE HON. DR. P. SUBBARAYAN:—" I am afraid a general statement like that ' activities in the district ' does not carry us very far. But if the hon. Gentleman means by that, activities of a nature which will lead to communal disharmony, I am prepared to call for such a report."

SRI PILLALAMARRI VENKATESWARLU:—" May I know whether the Government is aware of the fact that due to the activities of the Rashtriya Sevak Sangh throughout the Presidency a serious situation has arisen

MR. SPEAKER:—" We are not dealing with Rashtriya Sevak Sangh. It is altogether a different thing. (Several voices of ' Yes ' and ' No '.) I am afraid this question deals with an article in a newspaper. I disallow the question of Mr. Venkateswarlu."

SRI A. KALESWARA RAO:—" May I know whether this newspaper *Deshabhimani* is a Communist paper? "

THE HON. DR. P. SUBBARAYAN:—" The hon. Member is very correct in his presumption." (Laughter.)

ABDUL HAMEED KHAN SAHIB BAHADUR:—" May I know all that is written in a Communist newspaper is false news or false information? "

THE HON. DR. P. SUBBARAYAN:—" I do not say that at all; because they are as responsible to the public, I believe, as any one else."

Prosecution of Mr. Abdul Khadir.

*537 *Q.*—SRI PILLALAMARRI VENKATESWARLU (on behalf of Sri K. Anandan Nambiyar): Will the Hon. the Home Minister be pleased to state—

(*a*) whether it is a fact that a certain Textile Officer, Mr. Abdul Khadir, was prosecuted for corruption in Trichinopoly during September 1947; and

(*b*) whether he has been tried by any Judicial Officer and with what result?

THE HON. DR. P. SUBBARAYAN:—" (*a*) Yes. Janab Sayyed Mohamed Abdul Khadir, ex-Textile Control Officer, was prosecuted for corruption during 1947.

" (*b*) He was tried before the Assistant Sessions Judge, Trichinopoly Division, and was acquitted."

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SRI PILLALAMARRI VENKATESWARLU:—"May I know what further steps have been taken in that matter?"

THE HON. DR. P. SUBBARAYAN:—"The gentleman has been acquitted and I do not see what further steps should be taken." (Laughter.)

DR. S. SUBRAHMANYA AYYAR:—"Will the Government publish the names of officers who have been punished for corruption prominently in newspapers so that it may act as a deterrant to other officers?

THE HON. DR. P. SUBBARAYAN:—"In this particular case there is nothing to be published as the officer was acquitted and reverted to the department in which he was serving last."

SRI V. RAGHAVAYYA:—"In view of the fact that the Government were fairly convinced of his guilt before they launched prosecution against him, will the Government try to transfer him to some other department where he may be more innocuous?"

THE HON. DR. P. SUBBARAYAN:—"*Prima facie* there was a case against him. But as he was acquitted, he has been reverted from the Textile department to the department where he was serving before."

DR. S. SUBRAHMANYA AYYAR:—"My question has not been answered. My question was, whether the Government would care to publish the names of officers who have been punished for corruption prominently in newspapers so that it may act as a deterrant for other officers not to commit the offence?"

THE HON. DR. P. SUBBARAYAN:—"We are here concerned only with this particular officer. I shall take the representation of my hon. Friend to the notice of my Colleagues because it may be a matter for the Government as a whole to deal with."

SRI PILLALAMARRI VENKATESWARLU:—"May I know when this particular officer was acquitted by the District Magistrate, why Government did not take the matter in appeal to the High Court?"

THE HON. DR. P. SUBBARAYAN:—"Sir, I have long been in practice to understand when appeals against acquittal should be put up. Under the law there is no question of appeal to a criminal case. The hon. Member should understand there is only revision for criminal cases, and that is allowed only when there is a point of law; there is no question of appeal on facts. The present case is a question entirely based on facts. Government are fully aware that there is no question of appeal against acquittal."

SRI N. VENKATA SUBBAYYA:—"When there is a *prima facie* case against this particular officer, may I know whether any charges were framed against him for departmental action?"

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THE HON. DR. P. SUBBARAYAN:—" The case was decided in his favour, and so there is no question of departmental action. As he was acquitted he was reverted to the department where he was previously working."

MR. MUHAMMAD RAZA KHAN:—" Inasmuch as this officer happens to be a Muslim, may I inquire whether all these questions are put and whether this is due to the two-nation theory? "

THE HON. DR. P. SUBBARAYAN:—" The hon. Member may draw his conclusions."

Nilgiris potatoes.

* 538 *Q.*—

MR. SPEAKER:—" Regarding this question there is a ruling in Parliament regarding the length of each question. As early as 25th January 1944, Mr. McKinlay asked in the House of Commons, ' May I have an answer on the point as to the length of a question which is accepted at the table, as compared with the length of the answer? ' To this the Speaker of the House of Commons gave the following rule: ' The position is quite clear. There are no definite rules, but we always try to limit a question to ten lines of the Order Paper. In regard to the answer, while we do not interfere, it is desirable that it should not be too long, but that depends on the discretion of the Minister.' So what I say is, if it is a long question my advice to the Members is to give notice of it as an unstarred question, the answer to which will be printed and placed on the table of the House. Suppose the hon. Member wants to elicit further information, then he can give notice of a starred question with reference to that."

THE HON. DR. P. SUBBARAYAN:—" May I point out to you, Sir, for consideration that the usual practice in the House of Commons is that long questions are put as unstarred questions? If the Member wants any further information on the answer given to the unstarred question he can put another question and star it."

MR. SPEAKER:—" That is exactly what I said."

SRI R. V. SWAMINATHAN:—" But the Government take a long time, even a month to answer some questions. In such cases why not Government allow urgent short notice questions? "

MR. SPEAKER:—" Order, order, the hon. Member has completely misunderstood. The hon. Member is think of short notice question. We are now on question No. 538, given notice of by Mr. V. I. Muniswami Pillai."

* 538 *Q.*—SRI V. I. MUNISWAMI PILLAI: Will the Hon. the Minister for Food be pleased to state—

(*a*) whether it is a fact that the Government ordered, during the last week of September 1947, 3,000 tons of Nilgiris potatoes

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to be despatched immediately to provinces outside Madras and that permits are to be issued only to a limited number of persons known as 'A' class merchants;

(*b*) the special reasons that led the Government to take this course and to choose a few rich and influential merchants;

(*c*) whether the Government are aware that stocks are held also by 'B' and 'C' class merchants and by several potato growers and the Nilgiris Co-operative Marketing Society, Limited, Nilgiris;

(*d*) whether any reference, before the order, was made to the Collector of the Nilgiris and what was his report;

(*e*) if the answer to (*d*) be in the affirmative, whether the Government will be pleased to place on the table of the House copies of telegrams and communications which passed between the Collector of the Nilgiris, the Board of Revenue (Supplies Department) and the Government

(*f*) whether the Government received any representations from the President and Secretary of the Nilgiris District and Taluk Congress Committees and Ootacamund Town Congress Committees and from other public bodies as to the great injustice to the ordinary merchants, growers and the Marketing Society if the Government insisted on their order;

(*g*) whether the Government have set up a "Nilgiris District Potato Advisory Committee";

(*h*) who the members are of this Committee; and whether the Committee was consulted in the matter of the export of the 3,000 tons;

(*i*) if the answer to (*h*) is in the affirmative, what their advice was in this connexion;

(*j*) if the answer to (*h*) be in the negative, why this body was not consulted; and

(*k*) whether the Government are aware that this action of the Government is greatly resented by the growers and ordinary merchants?

THE HON. DR. T. S. S. RAJAN:—"(*a*) Yes.

"(*b*) In the last week of September 1947 it was brought to the notice of the Government that 'A' class merchants in the Nilgiris were holding a large stock of about 4,300 tons of potatoes which was rotting on account of long storage in godowns and would soon perish and become unfit for human consumption if a market was not immediately provided. It was out of the question to release the stock for consumption in the domestic market which had been supplied already to the full limit of 3,500 tons. The Government therefore considered that, during a period of acute food shortage all over the country, these potatoes ought not to be allowed to be wasted, whoever the stockists might be. They accordingly decided that a special foreign quota of 3,000 tons should be

sanctioned immediately and allotted to the 'A' class merchants so as to enable them to dispose of their deteriorating stocks in the regular consuming areas outside the Province.

"(*c*) No.

"(*d*) Yes. The Collector confirmed the representations of the 'A' class merchants that they were holding a large stock of potatoes.

"(*e*) The Government do not see any necessity for placing copies of the correspondence on the table of the House.

(*f*) & (*g*) Yes.

"(*h*) The following gentlemen are the members of the Committee:—

Collector of the Nilgiris—*President.*

(1) Sri K. Bokkai Gowder, M.L.A.

(2) Sri V. I. Muniswami Pillai, M.L.A.

(3) One representative of the Nilgiris Co-operative Marketing Society.

(4) One representative of Devershola Fertilizers, Limited, Ootacamund.

(5) A. Mohammad Rowther, Mettupalaiyam.

(6) Sri K. B. Ajja Gowder, Kotagiri.

(7) One representative of Messrs. L. Kempey Gowder and Sons, Ootacamund.

(8) Sri P. Kuppuswami Pillai, President of the Merchants' Association, Mettupalaiyam.

(9) The Deputy Registrar of Co-operative Societies, Ootacamund.

(10) Sri Rao Bahadur H. B. Ari Gowder.

(11) Mr. N. M. Lingam, Nanjanad.

(12) The Deputy Director of Agriculture, Ootacamund.

(13) Sri M. K. Nanja Gowder, Achinikal, Ketti.

(14) Sri K. H. Ajja Gowder, Kundachappai, Ootacamund.

(15) Sri M. S. Ramaswami Ayyar, President, Potato Merchants' Association, Mettupalaiyam.

The Committee was not consulted in respect of the allotment of the special export quota of 3,000 tons.

"(*i*) Does not arise in view of the answer to clause (*h*).

"(*j*) The Government did not feel the necessity to consult the Advisory Committee in this matter where the issue and the solution were clear and specific.

"(*k*) The Government had already made it clear in their Press note, dated 14th October 1947, that they were prepared to

allow further special export quotas in favour of the non-'A' class categories, viz., the Nilgiris Co-operative Marketing Society, growers and the 'B' and 'C' class merchants, provided they too were in possession of large stocks deteriorating on account of long storage. On further enquiry Government have since allowed 2,300 tons to be exported by the 'B' and 'C' class merchants, the Nilgiri Co-operative Marketing Society and the growers. The Government have also issued instructions that in respect of all future allotments for foreign exports, preference should be given to the non-'A' class categories in the proportion already fixed, so that the inequality, if any, on account of the special export quota of 3,000 tons allotted in favour of 'A' class merchants alone may be removed."

SRI V. I. MUNISWAMI PILLAI:—"In view of the answer to clause (*k*), is it not a fact that the B and C class merchants held a large stock at the time when special grants were granted to A class merchants?"

THE HON. DR. T. S. S. RAJAN:—"The Government were not aware that B and C class merchants held large stock of potatoes."

SRI V. I. MUNISWAMI PILLAI:—"Is it not the duty of the Collector who took into account the stock held by the other merchants to see whether these merchants also had large stocks?"

THE HON. DR. T. S. S. RAJAN:—"It is on the representations of the B and C class merchants that the Collector went into the question; and so that question does not arise."

SRI V. I. MUNISWAMI PILLAI:—"May I inquire with reference to the answer to (*j*), is it the policy of the Government not to take the opinion of the advisory committees set up for this purpose?"

THE HON. DR. T. S. S. RAJAN:—"The opinion of the advisory committees is advisory. That is all."

SRI V. M. RAMASWAMI MUDALIAR:—"May I ask whether the Government are aware that there has been an increase in the price of potatoes and was it by reason that its export to other provinces was permitted and may I also know whether Government consulted the advisory committee why there has been an increase in the price of potatoes?"

THE HON. DR. T. S. S. RAJAN:—"The Government are aware of the increase in the price of potatoes. It is just possible, Sir, that the decontrol is to a certain extent responsible for this slight rise. But the Government hope that in the course of a few days prices will adjust themselves and they may drop down to normal level."

SRI B. S. MURTHI:—"Does not the Collector check the information as to the stock available with different dealers, the A, B and C classes?" 11-15 a.m.

THE HON. DR. T. S. S. RAJAN:—" It is open to these dealers who are affected by the condition of the potatoes to make a representation and draw the attention of the Collector, in which case I am sure the Collector would have paid some attention to them as he did in the case of the A class merchants."

SRI S. NAGARAJA MANIGAR:—" It might be, Sir, that the B and C class merchants would not have represented to the Government, but does it mean that the Government allowed the stocks that they had to go rotten? "

THE HON. DR. T. S. S. RAJAN:—" If the stockholder does not know that it is rotten how can the Government know that the stock is rotting? That is where the difficulty comes in."

SRI V. RAGHAVAYYA:—" Will the Government agree with us when we say that the fall in export of potatoes to foreign countries like Ceylon may have the effect of reducing the prices and relieve the development of an uncertain food situation in the country? "

THE HON. DR. T. S. S. RAJAN:—" I am not able to follow the question, Sir."

SRI V. RAGHAVAYYA:—" Will the Government put a ban on export of potatoes to foreign countries, particularly to Ceylon so that the prices may come down and help the people in their uncertain food situation? "

THE HON. DR. T. S. S. RAJAN:—" The Government have just now decontrolled potato, Sir, and we have no idea of reintroducing control."

SRI B. S. MALLIKARJUNA RAO:—" Did the Government ascertain what is the reason for the scarcity in the market when potatoes are actually rotting with merchants and when they are demanding permits for export? "

THE HON. DR. T. S. S. RAJAN:—" That is a matter left entirely to the dealers and the Government have nothing to do in the matter."

SRI V. I. MUNISWAMI PILLAI:—" Arising out of the answer given by the Hon. Minister, may I inform him that the B and C class merchants waited on the Collector several times in my presence and that he did not take their advice and he sent his own report of the stocks held in the Nilgiri district which is not correct? "

THE HON. DR. T. S. S. RAJAN:—" It is left to the Collector to make such report as he thinks necessary on the representation made to him by these merchants. If these merchants think that they were not treated properly it was open to them to represent to the Government just as the A class merchants have done."

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SRI B. S. MALLIKARJUNA RAO:—" May I ask, Sir, whether it is not the responsibility of the Government that when an application is made for a permit for export to ascertain why the merchants have not released the stocks to the local markets? "

THE HON. DR. T. S. S. RAJAN:—" The stocks were held by the merchants and they had to release the stocks only on a permit. That is why their stocks were held up and the Government had to interfere and release them after giving them necessary permits."

Retention of harvest required for domestic consumption.

*539 *Q.*—SRI PILLALAMARRI VENKATESWARLU (on behalf of Sri K. Anandan Nambiyar): Will the Hon. the Minister for Food be pleased to state—

(*a*) whether the Government allow farmers to keep out of the total produce harvested, the quantity required for the domestic consumption of the family;

(*b*) whether the Government have received mass representation from the peasants of Malabar on this matter;

(*c*) whether it is a fact that the Hon. the Minister for Agriculture who recently toured Malabar, expressed the view that if cultivators find their job uneconomic, they had better give up cultivating lands; if so, whether it is his own obiter dictum or an expression of the Cabinet's policy;

(*d*) whether it is a fact that the same Minister at public meetings did propaganda for delivery of paddy in kind by tenants to landlords by way of rent; if so, whether it reflects the Government's view or the Minister's personal advice; and

(*e*) whether it is a fact that the same Minister was escorted by Malabar Special Police platoons throughout his Malabar tour and was guarded by the same well-known force at public meetings where the all-important issue of food was to be discussed?

THE HON. DR. T. S. S. RAJAN:—" (*a*) Farmers, i.e., tenants, are allowed to keep the quantity required for their family consumption only from out of their share of the produce and not from the total produce harvested on the lands cultivated by them. Under the ' Malabar Tenancy Act ' as well as under the ' Malabar Procurement Regulations ', the tenant is obliged to pay the rent in kind to the landlord in respect of paddy lands if there is a specific contract to that effect.

" (*b*) Some representations have been received.

" (*c*) No. He did not. Does not arise.

" (*d*) No. It is not a fact. Does not arise.

" (*e*) No."

SRI PILLALAMARRI VENKATESWARLU:—" May I know when the tenants pay the rent in kind these janmis there sell the paddy in the blackmarket and that is why the peasants are unable to get rations? "

THE HON. DR. T. S. S. RAJAN:—" It has nothing to do with the blackmarket. He pays his quota to the janmi according to the contract and if the janmi takes it to the blackmarket, that has nothing to do with the tenant at all."

B. POCKER SAHIB BAHADUR:—" May I know what the Hon. Minister meant by saying that the tenant is entitled to keep for domestic consumption from out of his share of the produce? "

THE HON. DR. T. S. S. RAJAN:—" I think it is explicit from the answer given, Sir. In a contract the tenant has got a right for his particular share of the produce from out of which he can keep for his own food, but he cannot retain the dues to the landlord which he is bound to pay to the landlord."

B. POCKER SAHIB BAHADUR:—" Is the Hon. Minister aware that in Malabar this system of waram is not prevalent? "

THE HON. DR. T. S. S. RAJAN:—" I am aware of it. This is exactly what I meant. The janmi enters into a contract for a certain quota to be paid to him which is paid to him according to the contract. If there is no contract the custom prevails."

P. K. MOIDEEN KUTTY SAHIB BAHADUR:—" May I know whether the Government are aware of the fact that the tenants are put to great inconvenience since the authorities are not allowing for dryage for the grains which they sell to the Government? "

THE HON. DR. T. S. S. RAJAN:—" It all depends upon whether the tenant has made representations to the Government with regard to the inconvenience caused to him. Under normal conditions the Government presume that he keeps it because he is entitled to keep it."

P. P. HASSAN KOYA SAHIB BAHADUR:—" Apart from the general question of amending the Malabar Tenancy Act, may I know whether the Government will take immediate steps to amend the Act so as to enable the tenant not to pay rent in kind but in cash."

THE HON. DR. T. S. S. RAJAN:—" That is under the consideration of the Government. That is a bigger question and it does not concern procurement. We have to procure immediately. Any legislation that will affect the whole of the land tenure in Malabar cannot be linked with the procurement which is so immediately necessary."

M. V. HYDROSS SAHIB BAHADUR:—" Are the Government aware that in spite of the contract between the landlord and the tenant regarding payment of rent in kind, the tenants in Malabar were adjusting with the landlords to pay rent in cash? "

THE HON. DR. T. S. S. RAJAN:—" It is a matter of arrangement. Certainly he is entitled to pay in cash if the landlord agrees to take it."

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M. V. HYDROSS SAHIB BAHADUR:—" May I ask in such cases when the landlords and tenants agree, will the Government relax the rules relating to the payment of rent in kind? "

THE HON. DR. T. S. S. RAJAN:—" I have already stated that if there is a contract to that effect, the Government have no business to interfere with it."

P. P. HASSAN KOYA SAHIB BAHADUR:—" May I know, Sir, whether the Hon. Minister is aware that this particular provision is working great havoc on the poor cultivators in Malabar and that they are obliged "

MR. SPEAKER:—" The hon. Member may put a separate question on the matter."

P. K. MOIDEEN KUTTY SAHIB BAHADUR:—" Is it not a fact that the President of the Tirur Village Congress Committee made a representation about this dryage question? "

THE HON. DR. T. S. S. RAJAN:—" At least I am not aware of it just now, Sir. If the hon. Gentleman wants information, I shall call for it."

SRI PILLALAMARRI VENKATESWARLU:—" May I know, Sir, whether the Government are aware of the fact that the procurement in Malabar has failed because the rent is being paid to the janmis in kind and the janmis did not surrender the stocks to the procuring agents? "

THE HON. DR. T. S. S. RAJAN:—" I do not know wherefrom the hon. Gentleman got the information that procurement has failed in Malabar."

Breaches in the anicuts of certain river in the Tiruvallur taluk.

* 540 *Q.*—SRI N. GOVINDASWAMI: Will the Hon. the Minister for Public Works be pleased to state—

(*a*) whether the Government are aware of the fact that the supply of water to the City of Madras has been rendered unwholesome owing to the occurrence of breaches in the anicuts of Odappai and Tammaraipakkam rivers in the Tiruvallur taluk;

(*b*) how long the abovementioned anicuts have been in a state of disrepair; and

(*c*) why they have not been repaired till now; and when the Government are going to repair them?

THE HON. SRI M. BHAKTAVATSALAM:—" (*a*) It is presumed that the hon. Member refers to the Odappai causeway and Tamarapak anicut across the Kortaliar river. The Odappai causeway over which the Tiruvallur-Satyavedu road passes was damaged in 1946, while in the region of the Tamarapak anicut where the Korattur-Tinnanur-Periyapalayam road crosses the river, the apron and track stones for the

roadway also got disturbed. But there is not the slightest reason to imagine that these have rendered unwholesome the water supplied to the City of Madras.

" (*b*) Both the structures mentioned above have been in disrepair since the floods of December 1946.

" (*c*) Repairs to the Odappai causeway were taken up immediately under two estimates but could not be completed in all respects since further floods in the river necessitated revision of the original proposals for repairs and improvements. The causeway portion has just been rendered suitable for traffic and buses are now plying on it. Improvement works are still going on and further improvements which require the sanction of Government will be considered shortly. As regards repairs to the apron of the Tamarapak anicut, the preliminaries have been completed and the work is about to be commenced. It will be completed by January 1948."

SRI N. GOVINDASWAMI :—" தயவு செய்து இப்பொழுது சொன்ன கேள்வியின் பதிலை தமிழில் சொல்லும்படியாக கேட்டுக் கொள்ளுகிறேன்."

MR. SPEAKER :—" If the Hon. Minister is willing to answer in Tamil, I have no objection."

THE HON. SRI M. BHAKTAVATSALAM :—" (*a*) இப்பொழுது கேட்கப்பட்டிருப்பது கோத்தலையாற்றின் ஒதப்பை Causeway-யைப் பற்றியும், தாமரைப்பாக் அணைக்கட்டைப் பற்றியும் இருக்கிறதைத் தான் கூறுகிறார்கள் என்று நினைக்கிறேன். திருவள்ளூர்-சத்யவாடு ரோடு ஒதப்பை Causeway-ன் மேல் போகிறது. அதில் 1946-ல் damage ஏற்பட்டது. தாமரைபாக் அணைக்கட்டு கொரட்டூர்-தின்னனூர்-பெரியபாளயம் ரோட்டை கடக்கிறது. அதிலும் சில கல்கள் உடைந்து damage ஏற்பட்டிருக்கிறது. ஆனால் அவைகளால் கொஞ்சம்கூட சென்னைக்கு சப்ளையாகும் தண்ணீர் கெட்டுப் போகவில்லை என்று நிச்சயமாக சொல்லலாம்.

" (*b*) மேலே சொன்ன ரிப்பேர்கள் 1946-ம்ஹ்ப டிசம்பரில் ஏற்பட்ட வெள்ளத்தால் உண்டாகி அப்படியே இருந்தது.

" (*c*) ஒதப்பை Causeway-ன் ரிப்பேரே முதலில் எடுத்துக்கொள்ளப்பட்டு அதற்கு இரண்டு எஸ்டிமேட்டுகள் தயாரிக்கப்பட்டன. ஆனால் எஸ்டிமேட்டுகள் தயார் செய்துகொண்டு அந்த எஸ்டிமேட்டுகளை பரிசீலனைசெய்யும் முன் வேறு புதிதாக வெள்ளம் எதிர்பார்த்ததால் புது ரிப்பேர்கள் செய்யவேண்டிய ஒரு அவசியம் ஏற்பட்டது. ஆனால் Causeway இப்பொழுது ரிப்பேர் செய்யப்பட்டு பஸ்கள் போகக் கூடிய நிலைமையில் இருக்கிறது. ஆனால் இன்னும் அபிவிருத்தி வேலைகள் நடந்துகொண்டிருக்கின்றன. மேற்கொண்டு வேலைகள் நடத்த சர்க்காருடைய sanction வேண்டும். அதன்மேல் மேற்கொண்டு வேலைகள் நடக்கும். ஆனால் தாமரைப்பாக்கம் அணைக்கட்டில் ஏற்பட்டிருக்கிற ரிப்பேர் விஷயமாக பூர்வாங்கமான வேலைகள் முடிந்துவிட்டன. மற்ற வேலைகள் வரும் ஜனவரிக்குள் முடிந்துவிடும் என்று தோன்றுகிறது."

SRI N. GOVINDASWAMI :—" 1948-ம் ஹ்ப ஜனவரி ஆரம்பத்திலேயே முடியுமா அல்லது கடைசியில் முடியுமா என்று கேட்கிறேன். "

THE HON. SRI M. BHAKTAVATSALAM :—" இதை அவ்வளவு சரியாக இப்பொழுது சொல்ல முடியாது என்று நினைக்கிறேன். "

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SRI N. GOVINDASWMI :—" தண்ணீர் ஆற்றில் போகும்போது கெடாது என்று சொன்னால் பஸ்கள் போகும்போதும் நடக்கும்போதும் அழுக்குப்படிந்து தண்ணீர் கெட்டுப்போகாதா என்று கேட்கிறேன்."

THE HON. SRI M. BHAKTAVATSALAM :—" அதைப்பற்றி பரிசீலனை செய்யக்கூடியவர்கள் நிச்சயமாக தண்ணீர் கெட்டுப் போகவில்லை என்று சொல்லுகிறார்கள். அதைத்தான் சர்க்காரும் சொல்லுகிறார்கள்."

N. MUHAMMAD ANWAR SAHIB BAHADUR :—" May I enquire from the Hon. Minister why it is that the water-supply inside the compound of the Fort St. George has got a peculiar odour of its own?" (Laughter.)

THE HON. SRI M. BHAKTAVATSALAM :—" A separate question may be put, Sir." (Laughter.)

Repair of irrigation channels in certain taluks of the Tinnevelly district.

* 541 *Q.*—SRIMATHI V. LAKSHMI AMMAL: " Will the Hon. the Minister for Public Works be pleased to state—

(*a*) how many irrigation channels have been repaired by the Public Works Department since May 1946 in Ambasamudram taluk and Nanguneri taluk of the Tinnevelly district;

(*b*) the amount spent by the Government on these repairs;

(*c*) the number of channels that need repairs but have not been repaired; and

(*d*) when the Government propose to take up these repairs?

THE HON. SRI M. BHAKTAVATSALAM :—" (*a*) Six irrigation channels in Ambasamudram taluk and three irrigation channels in Nanguneri taluk have been repaired by the Public Works Department since may 1946, while repair work is in progress in the case of eleven others, of which five lie in Ambasamudram taluk and six in Nanguneri taluk.

" (*b*) The works so far done have not been measured and paid for and so the actual expenditure incurred on repairs is not readily available. The approximate total amount to be spent is, however, calculated at Rs. 46,897.

" (*c*) Four channels in Ambasamudram taluk and three channels in Nanguneri taluk need repairs.

" (*d*) The repairs will be taken up in the closure period of 1948."

SRIMATHI V. LAKSHMI AMMAL :—" Are the Government aware that there are many sluices which have no shutters at all? "

THE HON. SRI M. BHAKTAVATSALAM :—" I have no exact information about it. Perhaps it is so."

SRIMATHI V. LAKSHMI AMMAL :—" Will the Government consider and see that screw shutters will be sanctioned for the sluices? "

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THE HON. SRI M. BHAKTAVATSALAM:—" The Government will examine the question."

SRI B. S. MURHI:—" May I know whether there is any list of irrigation channels in the Province and whether there is any plan for their repairs? "

THE HON. SRI M. BHAKTAVATSALAM:—" We have a list of the channels and we do have a programme for their repairs."

Scale of pay of the Subordinate Civil Judicial Service.

* 542 *Q.*—M. S. ABDUL MAJID SAHIB BAHADUR: Will the Hon. the Minister for Finance be pleased to state—

(*a*) whether in the revision of the salaries of the Gazetted Services in the Province effected recently by G.O. No. 78, Finance, dated 6th February 1947, to take effect from 1st January 1947, the scale of pay of the Subordinate Civil Judicial Service was revised;

(*b*) if not, whether the Government propose to revise the scales of pay of the Subordinate Civil Judicial Service and the other Judicial Officers;

(*c*) if the Government do not propose to revise their pay, the reason why, of all the services, the Judicial Service has been excluded from the benefit of the recent revision; and

(*d*) whether the Government propose to revise their scales of pay?

THE HON. SRI B. GOPALA REDDI:—" (*a*) to (*c*) The recent revision of scales of pay ordered in G.O. No. 78, Finance, dated 6th February 1947, was mainly confined to the subordinate services because it was considered they suffered more from the increase in cost of living. At the same time, the minima of the scales of pay applicable to certain Provincial Services were raised by one or two stages in the existing scales of pay to fit in with the new maxima of the revised scales of pay of the corresponding subordinate services, and also because it was represented that the existing minima would not secure suitable qualified personnel for the technical services. The existing scales of pay of the District Munsifs and Sub-Judges in the Subordinate Civil Judicial Service were not affected by the above principles and were therefore left as they are.

" (*d*) Yes. The general question of pay of Provincial Services including the Subordinate Civil Judicial Service is under the consideration of the Government."

M. S. ABDUL MAJID SAHIB BAHADUR:—" Is it proper for the Government to continue these ill-paid officials to administer justice? "

THE HON. SRI B. GOPALA REDDI:—" I do not consider that the Munsifs are ill paid."

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M. S. ABDUL MAJID SAHIB BAHADUR:—"Is the Hon. Minister aware that the subordinates of the Judicial Service do not get other incomes like travelling allowance as other Gazetted Officers are getting?"

MR. SPEAKER:—"I do not get travelling allowance. (After a pause) No answer to the question."

M. V. HYDROSS SAHIB BAHADUR:—"Why are the clerks in the Judicial Subordinate Service not given increments at all till they pass all the tests while clerks in other departments are given increments though they do not pass tests?"

THE HON. SRI B. GOPALA REDDI:—"A separate question may be put."

B. POCKER SAHIB BAHADUR:—"Do the Government feel that there is no necessity for the revision of the pay of the members of the Subordinate Judicial Services?"

THE HON. SRI B. GOPALA REDDI:—"I have already stated that the matter is under the consideration of the Government."

B. POCKER SAHIB BAHADUR:—"Have the Government passed any orders with regard to the scales of pay of the staff of the High Court?"

THE HON. SRI B. GOPALA REDDI:—"Yes, Sir."

B. POCKER SAHIB BAHADUR:—"Have Government received any representation as to the inadequacy of their pay?"

THE HON. SRI B. GOPALA REDDI:—"I have not seen any representation."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"For every alternate question put in this House the Ministers have been in the habit of saying that the matter is under consideration. May I know how many matters are under consideration? Will they wait till a strike notice is given?"

THE HON. DR. P. SUBBARAYAN:—"I may point out to the hon. Gentleman that the Government is a very technical and delicate matter. The state of finances has to be considered in regard to the revision of salaries. There is no use of the hon. Member who has no experience at all asking how long it will take. It is not going to take the matter any further."

MOHAMED ABDUL SALAM SAHIB BAHADUR:—"When the Police people refused to take the salaries, the Government enhanced their salaries. Are the Government going to wait for these people also to give a strike notice before they can expect increments in pay?"

(No answer.)

[* 543 *Q.* MR. SPEAKER:—"The hon. Member Mr. Shanmugam is not in his place. This answer will be printed in the proceedings."]

SRI PILLALAMARRI VENKATESWARLU:—"It is a very important question. Cannot somebody else put the question, Sir?"

MR. SPEAKER:—"No. The hon. Member should have authorized somebody else to do it."

Central Pay Commission.

* 543 *Q.*—SRI K. SHANMUGAM: Will the Hon. the Finance Minister be pleased to state—

(*a*) whether it is a fact that the Central Pay Commission conducted an enquiry into the service conditions of the Government employees on all-India basis; and

(*b*) whether the Government of Madras presented to the Commission any written memorandum or reply to their questionnaire?

THE HON. SRI B. GOPALA REDDI:—"(*a*) Yes, but the enquiry of the Central Pay Commission related to the All-India and Central Services.

"(*b*) Yes."

Gandiban Bus Service.

* 544 *Q.*—SRI N. GOVINDASWAMI: Will the Hon. the Minister for Prohibition be pleased to state—

(*a*) whether it is a fact that a memorandum was submitted to the Hon. the Premier on 10th September 1947 by the Sri Gandiban Bus Service, Chingleput district;

(*b*) if so, whether the Government will be pleased to place a copy of the memorandum on the table of the House; and

(*c*) whether the Government have taken or propose to take early steps in the matter?

THE HON. MR. DANIEL THOMAS:—"(*a*) The answer is in the affirmative.

"(*b*) & (*c*) The Government do not consider it desirable to place the memorandum on the table of the House as it is now under their consideration."

SRI N. GOVINDASWAMI:—"தயவுசெய்து இந்த பதிலையும் தமிழில் சொல்லும்படியாக கேட்டுக்கொள்ளுகிறேன்."

THE HON. MR. DANIEL THOMAS:—"(*a*) அப்படிப்பட்ட ஒரு மகஜர் வந்தது வாஸ்தவம்தான்.

"(*b*) & (*c*) அதை இப்பொழுது அசெம்பளி முன்னல் வைப்பதற்கு சமயம் இல்லை. அது கவர்ன்மெண்டுடைய பரிசீலனையில் இருக்கிறது."

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SRI N. GOVINDASWAMI :—" இப்பொழுது கவர்ன்மெண்டார் அதற்கு என்ன நடவடிக்கை எடுத்துக்கொண்டிருக்கிறார்கள் என்பதை தெரிய விரும்புகிறேன். "

THE HON. MR. DANIEL THOMAS :—" மனுவில் அநேகம் விஷயங் கள் சொல்லப்பட்டிருக்கிறது. அவைகளை பரிசீலனை செய்து ரிபோர்ட்டு செய்யும்படி C.R.T. போர்டுக்கு அனுப்பப்பட்டிருக்கிறது. "

MOHAMED ABDUL SALAM SAHIB BAHADUR :—" May I know what is contained in the memorandum? "

THE HON. MR. DANIEL THOMAS :—" My hon. Friend cannot get behind me by asking what is contained in the memorandum when the Government are not prepared to place the memorandum on the table of the House."

SRI T. VISWANATHAM :—" May I know whether it is a confidential memorandum which cannot be placed on the table of the House? "

THE HON. MR. DANIEL THOMAS :—" I do not claim the memorandum to be confidential. The matter is now being examined by the Government. We have called for a report from the Central Road Traffic Board. When the report is received, the Government will take necessary action. Then will come the stage for placing the paper on the table of the House."

SRI B. S. MURTHI :—" As the Gandiban Bus Service has appeared several times during our question hour, will the Hon. Minister consider the desirability of calling the people of the two companies together and seeing that justice is done to both the companies? "

THE HON. MR. DANIEL THOMAS :—" I do not agree with the implication that justice is not being done to either of the companies."

SRI PILLALAMARRI VENKATESWARLU :—" Who is the non-official member on the regional committee of the area? "

THE HON. MR. DANIEL THOMAS :—" I believe it belongs to Chingleput district and Mr. Muthuranga Mudaliar is the member representing the non-officials on the Board."

SRI R. V. SWAMINATHAN :—" In view of the unhealthy competition going on in the route, will the Government cancel the permits and run the buses themselves on the route? "

THE HON. MR. DANIEL THOMAS :—" This question of healthy and unhealthy competition often seems to change colour. Sometimes healthy competition becomes unhealthy monopoly and vice versa."

SRI B. S. MALLIKARJUNA RAO :—" Is it not a fact that an appeal has been made to the Hon. Premier on the ground that the Hon. Minister for Prohibition has not taken any steps in the matter? "

THE HON. MR. DANIEL THOMAS :—" I am not aware of any such allegation, Sir."

* 545 *Q.*—

MR. SPEAKER:—"The Hon. Minister is not keeping good health. He has written to me to take up this question tomorrow. This question will be taken up tomorrow."

Groundnut cultivation in South Arcot.

* 546 *Q.*—SRI V. I. MUNISWAMI PILLAI: Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) the total area in the South Arcot district under groundnut cultivation and how many growers there are; and

(*b*) whether there is any proposal to open a new market area in South Arcot for groundnut?

THE HON. SRI K. MADHAVA MENON:—"(*a*) The area under groundnut cultivation during fasli 1356 was 421,649 acres (47,138 acres relate to summer cultivation and 374,511 acres to monsoon cultivation). The area of groundnut cultivation up to the end of October 1947 is 245,300 acres. There are about 125,000 growers in this district.

"(*b*) There is no proposal to open a new market area at present."

SRI V. I. MUNISWAMI PILLAI:—"In view of the large acreage in South Arcot district, is it not advisable to have one or two more groundnut markets?"

THE HON. SRI K. MADHAVA MENON:—"The market committee has one or two sub-offices in the various places. There is no necessity for more markets."

SRI V. I. MUNISWAMI PILLAI:—"Is the Government aware that the growers in the district have not been given elective franchise on the market committee?"

THE HON. SRI K. MADHAVA MENON:—"Notice, Sir."

Headquarters Hospital, Calicut.

* 547 *Q.*—M. V. HYDROSS SAHIB BAHADUR: Will the Hon. the Minister for Public Health be pleased to state—

(*a*) when the estimate for the Headquarters Hospital in Calicut was prepared for the first time; and

(*b*) what the Government have finally decided in the matter?

THE HON. SRI A. B. SHETTY:—"(*a*) The estimates for the construction of a new Headquarters Hospital at Calicut were prepared for the first time in 1941.

"(*b*) The Government have decided that the work of reconstruction of the hospital should be taken up as a scheme for introduction during the current year. It has also been decided that the work of reconstruction should be spread over a period of eight years. The repairs and improvements necessary for the existing hospital will be executed as early as possible."

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M. V. HYDROSS SAHIB BAHADUR:—" May I request for an assurance from the Government that there will be no further change in the location of the hospital? "

THE HON. SRI A. B. SHETTY:—" There will be no change. It has been decided to continue the building work in the same place where it has been brought up to the basement level."

B. POCKER SAHIB BAHADUR:—" In view of the fact that it has taken six long years to decide upon the site, will the Government be pleased to complete the hospital as quickly as possible? "

THE HON. SRI A. B. SHETTY:—" The work will be spread over eight years, because it is estimated to cost a big sum of 29½ lakshs. "

M. S. ATAULLAH SAHIB BAHADUR:—" What is the estimate of the total cost, Sir? "

THE HON. SRI A. B. SHETTY:—" The estimate submitted by the Surgeon-General was for Rs. 36·5 lakhs. The items regarding the quarters for the sub-assistant surgeons and the nurses are being deleted. The estimated cost is thus being reduced to Rs. 29·92 lakhs."

B. POCKER SAHIB BAHADUR:—" In view of the bad state of public health in Calicut, will the Government find ways and means of completing the work at least before the decade is over? "

THE HON. SRI A. B. SHETTY:—" As the work will be spread over eight years, it is proposed to make additions and improvements to the existing hospital at a cost of Rs. 1·21 lakhs."

B. POCKER SAHIB BAHADUR:—" Why should it take eight long years to complete the scheme? Is it because it took six years to decide upon the site? "

THE HON. SRI A. B. SHETTY:—" It is due to the scarcity of building materials and also financial considerations."

B. POCKER SAHIB BAHADUR:—" Is it so difficult to the Government to secure building materials for a hospital at Calicut that it will take eight years to complete the building? "

THE HON. SRI A. B. SHETTY:—" The Government have to find building materials for so many other buildings also."

N. MUHAMMAD ANWAR SAHIB BAHADUR:—" Inasmuch as it will take eight years to complete the building, may we have an assurance that the hospital scheme will be completed before the end of the century? "

(No answer.)

Sanatorium at Peapally, Kurnool district.

*548 *Q.*—SRI B. S. MURTHI (on behalf of Sri S. Nagappa): Will the Hon. the Minister for Public Health be pleased to state at what stage the opening of the Sanatorium at Peapally in Kurnool district stands? 11-45 a.m.

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THE HON. SRI A. B. SHETTY:—"The matter is still under consideration."

SRI N. VENKATASUBBAYYA:—"Is it not a fact that this place is eminently suitable for opening tuberculosis sanatorium and may I know whether early steps will be taken because the matter has been pending for a long time?"

THE HON. SRI A. B. SHETTY:—"Yes, Sir, the place is quite suitable, but it is a matter of finding money for the demands for similar sanatoria in different parts of the Province."

SRI N. VENKATASUBBAYYA:—"May I bring to the notice of the present Minister that Mrs. Rukmini Lakshmipathi, when she was holding the portfolio of Public Health, visited the place, inspected the surroundings, and assured that the construction would be speeded up, i.e., commenced within a year or two?"

THE HON. SRI A. B. SHETTY:—"At that time the people of the place promised to collect a big amount, but now they have withdrawn from that position."

[*Note.*—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—DISCUSSION *RE* LENGTH OF QUESTIONS.

SRI V. I. MUNISWAMI PILLAI:—"During question time, the Chair was kind enough to tell us about giving notice of long questions, and read a ruling thereon. May I submit that in the Central Legislature, the President has got the discretion to admit such questions as starred or unstarred? As the Chair in this House is placed in a similar position, he can use his discretion. But I did not know that the question would give rise to complications when I gave notice of it."

MR. SPEAKER:—"I do not blame the hon. Member at all. I said that that was the ruling. Members themselves can star, or unstar the questions. No doubt, the Chair has got full power to star, unstar or even to amend the entire question. But I do not want hon. Members to give room for using the discretion of the Chair."

SRI R. V. SWAMINATHAN:—"We send questions to the Government and sometimes it takes even two to three months to get the answers. So may I know whether there is any time-limit for answering ordinary questions?"

THE HON. DR. P. SUBBARAYAN:—"I can assure the hon. Members that the Government are not trying to avoid answering questions, because any information that is easily available in our records will immediately be given to the hon. Members. It so often happens that information has got to be obtained from the district head quarters, the divisional headquarters and even the taluk headquarters. Therefore, it takes some time. But for the convenience of the hon. Members, I can say that the Government will try as far as possible to obtain information as quickly as

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possible and furnish it to the hon. Members. I am afraid that my hon. Friend Mr. Swaminathan seems to be under the impression that the Government are trying to avoid answering questions. That is certainly not the intention of the Government."

SRI V. RAGHAVAYYA:—"On a point of information

MR. SPEAKER:—"I won't allow any point of information. If the hon. Member wants anything, let him put it in writing and send it on to me."

GOVERNMENT BILL.

III.—THE MADRAS ESTATES (REPEAL OF THE PERMANENT SETTLEMENT AND CONVERSION INTO RYOTWARI) BILL, 1947—*cont.*

SRI T. PRAKASAM:—"Sir, we have come at last to the main Bill. The order in which these three Bills were placed for consideration was not a quite convenient or happy one. The third Bill as an urgent measure might have come first, and the second Bill relating to rent reduction could have been taken along with the main Bill or after the main Bill. At the close of the discussion on the Rent Reduction Bill, the Hon. Revenue Minister said that the question of fixing ryotwari rate for purposes of compensation was not to be considered then. It was not also the intention of the Government to fix up that rate for the purpose of granting compensation to the zamindar. Now we have come to the main Bill with regard to the abolition of the zamindari system. As a matter of fact, so far as I am concerned and so far as most of the members of this House are concerned and perhaps I will not be wrong if I say that so far as even the zamindars are concerned, we have reconciled ourselves to this abolition question; there can be no dispute at all.

Before going to the real points involved in this, I shall have to mention something about the incomplete material that is placed before the House with regard to this Bill. After the 15th of August, everything has changed. This legislature as it was functioning before the 15th of August ceased to function as such strictly speaking. On the 15th of August, the Central Legislature as it existed before that date ceased to function. That is what is provided for in the Independence of India Act. When that Central Legislature ceased, this Assembly also ceased. Nobody can dispute that, because that is the law."

MR. SPEAKER:—"That is the opinion of the hon. Member."

SRI T. PRAKASAM:—"That is the opinion which I hold, that is the opinion which you should also hold."

MR. SPEAKER:—"Should I also hold the same opinion simply because the hon. Member holds that opinion?"

SRI T. PRAKASAM:—" That should be the opinion which not only you, but everybody else in the country should hold. It is the rule of law; it is the law of nature. When once the old Constitution was dissolved, it cannot be contended by any speaker either here or even in the outside world that the old thing continues."

THE HON. DR. P. SUBBARAYAN:—" On a point of order. I would like to submit for your consideration that the Government of India Act, 1935, has been altered under the Adaptation Rules and we are working under that Constitution which preserves the power of this Assembly to legislate and provides for the Government to continue. Therefore there is no point in saying that the Assembly or the Government has ceased to exist."

MR. SPEAKER:—" I have already given a ruling on that point."

SRI T. PRAKASAM:—" Am I not aware of that when I was talking on that point? I have been aware as much as the Leader of the House. I have been aware as well as anybody else that there was the Government of India Act, 1935, that it has been adapted by the Constituent Assembly to the new Constitution and that it is under that we are functioning. There is no reason for the Leader of the House to presume that I did not know that we are functioning under that Government of India Act as adapted. The point I have been trying to place before the House is that, so far as this House is concerned, it does not stand in the same position in which it stood before the 15th of August. The Government of India Act of 1935 was adapted. Because certain provisions of that Act were adapted by the Constituent Assembly, can it be contended by anybody that this House is functioning as it functioned before 15th of August? Surely not. 1935 Government of India Act was adapted in such a manner that it would not be inconsistent with the attainment of the freedom of this country. That is what is said in the Independence of India Act. That is what every reasonable person can understand and should understand also. No doubt here also we are entitled to take certain Acts after they ceased to exist and adapt them instead of framing the same sections with the same procedure and all those things. So far as we agree, we can adapt. It was only that that was done. It could not be contended that the Government of India Act, 1935, is actually in force to-day. Only certain provisions as adapted by the Constituent Assembly are in force. It is under that we are functioning. I do not dispute that. While we are functioning, the anamoly on which the Chair has given a ruling also is continuing here. Members who are put on oath pledging their loyalty to King George VI are sitting here. Under that oath, they are legislating now.

" Supposing this legislation becomes law in a few weeks and supposing the question is raised in the Federal Court or the Supreme

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Court as to the validty of this law, as to who passed this law and who were the gentlemen that considered the legal position and supposing the court is asked to give its verdict in the matter, then, I submit, Sir, that the verdict will be that these are not the persons who were competent to go into this matter, having sworn their loyalty to King George VI before the 15th August 1947. Sir, King George ceases to be our King after the 15th August. He is no longer connected with the administration of this country. That is what is stated in section 7 of the Independence of India Act. After the 15th August, he has nothing to do with what is going on in India. The British Government have said specifically and advisedly like that, because they wanted to guard themselves against any action that might be brought against them before they handed over this country to our charge. That is the position which this House has got to consider. Sir, even though you had given a ruling on the point raised, at that particular stage, I am trying to put it to you now, so far as this matter is concerned. Let it be in the discussions relating to this statute which is to be passed by this House. If the Federal Court should say that oath-taking is most important in any country and in any Government and in any Parliament, and if we have not taken the oath, or if the oath that we have taken was simply pledging our loyalty to King George VI then what will be the fate of this legislation which we are now considering and which we are going to pass? Therefore, Sir, I say that this House is not the same as it was before the 15th August. I am not trying merely to raise a technical point to spend our time here on that point. As it is my duty to raise constitutional points on occasions like this, I am raising it and it will not be an idle point. It may come before a court of law at any time, if persons affected should choose to bring it before a court.

"Apart from that, Sir, I am trying to place before hon. Members of the House that all of us should imagine that we are not bound by the oath that we have taken as members of this House pledging our loyalty to King George, that we are not subjects of King George and that we are not bound by that oath. I am asking every member of this House to remember that he is a free man, to think freely, to act freely and to pass this law, not as a subject of King George, but as an independent person who has full rights to legislate as he likes.

"The next thing which I have got to address hon. Members of this House is the question, 'Have we got that real freedom after the 15th August'? Are we acting with full freedom now? That is the point that every one of us should consider. Have we changed our mental attitude? Are we acting as free men now in dealing with questions relating to the millions of people who are the real rulers of this country, who are interested in this legislation? This is not a legislation relating to a few individuals. (At this stage, Madam Deputy Speaker occupied the Chair.) Madam, this is a

legislation affecting millions of people. How are we governed to-day? The Congress High Command has been regulating our conduct here. The Congress High Command has called upon the Madras Government now to take their advice before proceeding with the Bill that is now before the House for its consideration. The Congress High Command called upon the Government to go over to Delhi to discuss matters with them and to take their own opinion and to regulate their conduct. The Hon. Revenue Minister made a public statement, which appeared in the press in reply to a question as to why they had gone to Delhi. The Revenue Minister said, 'We went to Delhi, because we were asked to go over there by the Congress High Command'. At whose instance did the Congress High Command call this Government? At the instance of some zamindars and some inamdars who went to them and poured forth their grievances and called them for interference. They therefore asked the Madras Government to go over there and discuss the points. There was a time, Madam, when I was resisting any interference on the part of the Congress High Command in our administration under the Provincial Autonomy. Even to-day I hold the same view and the Congress High Command take particular care to see that they do not ordinarily interfere with the Provincial Autonomy, but it is only rarely that they interfere. Now the question is whether this is a subject upon which the Congress High Command could have called upon the Government to go over to Delhi to place the whole matter before them and whether it was in order that this Government should have gone to Delhi and there entered into a discussion before the High Command with the zamindars and inamdars and then come to some understanding or some agreement. I was glad, Madam, when I heard from the lips of the Revenue Minister, that whatever the High Command might say, he was not going to act on it. I hope he will keep that to the end. What did the High Command do, Madam, in this particular case? They gave certain instructions to the Revenue Minister. They pointed out in what respects the Bill which he introduced here should be revised, in what way it should be amended, and the whole subject must have been discussed there."

THE DEPUTY SPEAKER:—"The Bill has been introduced only just now; how could they have given instructions with regard to amendments?"

SRI T. PRAKASAM:—"It is only with regard to the introduction, Madam, that certain instructions have been given to the Revenue Minister. They have given instructions how the Bill that has been published and that has been before this House for a long time, should be altered and amended, and it was also accepted by the Revenue Minister. It is stated publicly that advice was given to this Government to enhance the compensation that was proposed to be given to the zamindars, and it was also

stated publicly that with regard to inams also certain advice was given. The amendments relating to this Bill were published in the papers and it was stated they would be introduced at the Select Committee stage. Madam, this is a Bill at the introduction stage and we have to discuss the merits and demerits of this Bill; the *pros and cons* of this measure. The Revenue Minister says: 'We will introduce those amendments at the Select Committee stage.' Are we not entitled, Madam, to know beforehead how it is proposed to be amended, in what respects the amendments are going to be carried out, or considered at the Select Committee stage? That is why I have raised this point to show that it was the duty of the Government to have placed all the facts relating to this Bill before the Members of this House to enable them to know what they have got to say at the introduction stage of this Bill itself, to what extent it was proper to introduce amendments, and how they should apply their minds to this subject. It is also known that in addition to the advice given by the High Command orally to the Revenue Minister and also to the Prime Minister, written instructions were also sent in two pages of typed matter and we were also told about the main points referred to in the written instructions, and when the Government were asked to place that letter containing two typed pages in the hands of Members, so as to enable Members of the House to see with what mind the Congress High Command had approached this subject, and what specific instructions have been given, the Government have refused to comply with our request. It is not a small point, it is not a mere technical point. If the Leader and if the Government do not have confidence in the Members of the House or in the Members of even what is called a party, how can there be a reciprocation in the matter? Is it right that there should be a refusal on the part of the Government to place that letter in the hands of the Members? Why should it be refused when a discussion has been going on in the press, statements and counter-statements and additional statements, press statements and other statements are appearing day after day in the press, when it has become public property, when they say they have framed amendments and that those amendments will be placed before the Select Committee? What is the position of hon. Members of the Party or even hon. Members of this House? It is not my intention at this stage to say that the Congress High Command should not give any advice. Anybody can give advice; any one of the people living in the land is entitled to give advice; and the Congress High Command who were responsible for securing the freedom of this country after their struggle of 28 or 29 years certainly are entitled to give advice. But are we not expected to know what that advice is before this Bill is introduced; or at the time of the introduction, is it not the duty of the Government to say: 'We are framing amendments for this Bill, each amendment contains such and such a thing; you take note of it.' In the opening speech of the Revenue Minister, there is nothing about these amendments. Anybody could be taken into confidence by the Government, but not the Members

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of this House. Others were told that amendments were being drafted, that this and that would be ready; but why should the Members be excluded from knowing all that? The question was put on the floor of this House after it was refused in another place. When I say I am entitled to know the contents of that letter, I am told: 'No, you are not entitled to know'. Is it a confidential letter? Is there any secret conveyed to this Government by the Congress High Command? I am absolutely certain, Madam, the Congress High Command are a very careful body; they would not say 'we are giving instructions but you keep it secret, do not show this letter to any of the Members'. I do not believe, and it is not the case of the Government also, that it was marked confidential. How can it be confidential when the whole matter has been before the country, when it is known that a circular letter was sent by the Secretary of the Congress in which he stated 'well, these will be the lines on which you will have to carry on this business'. The abolition of the zamindari does not mean mere abolition of the zamindaris; abolition means consideration of so many important matters relating to finance, relating to the administration, and above all, matters relating to the unfortunate lot of the ryots who are concerned in this matter also. That is what is stated in that circular; are we not to know what is stated about the lot of the ryots in the circular; are we not not to know exactly what is in writing when they promised to send written instructions later on? And when they sent that letter with written instructions, what right have the Government to say they will not disclose it? I can understand all other matters in which the Government can plead: 'No, we are not free to say anything, it is a confidential matter'. This is a public matter; that is why I have to refer to this question at some length, in order to point out that there is no justification for this position. After issuing the circular and after pointing out that the matter should be considered not merely as abolishing the zamindari but as one relating to other matters concerning it, something else is stated in addition. It is stated that in doing this business, it must be kept in mind how this measure will help the production and distribution of food and other matters. Any measure when it is placed before this House, particularly a measure of this type, should be taking into account—when we abolish the zamindari, when we convert the zamindari land into ryotwari land—questions such as, what is the rent we are fixing, what is the position of the ryot, and to what extent will he be affected. Nothing has been pointed out to us about these matters and that is the most important thing. The Grow More Food Campaign has been before the country for a number of years now and we have been going through a famine of food and famine of cloth year after year and people are dying in several places without any of us knowing it, because the food has not been reaching them in proper time. So this is a measure about which there can be no secrecy. When the document is refused persistently, when we know our own position in this Province, the position of the Government, the position of the members and the position of the people outside, the people will

be inclined to draw their own inferences with regard to the contents of that document. If a public document intended for the ryots, for the zamindars, for the inamdars, inam ryots and all other people who are concerned when it is not produced, what is the inference which people can draw? I can draw so many inferences; each one connected with this country of ours can draw his own inference. Why should the Government put itself in that position? What did the High Command do to make this Government fear to produce that document? That is the point I wanted to mention as a preliminary point. The High Command will have to come and answer as to why that document has been kept back from the people here. Did they instruct this Government: 'Don't reveal the contents of this document; this is meant only for you, this is meant only with regard to your conduct with regard to a certain measure, this is meant to give some wholesome advice to you to prevent you from doing anything wrong'—what is there in it God alone knows. Why should it be kept back and why should this House after the 15th August when it became a free House, where you have to legislate freely for the benefit of the people, for the benefit of the ryots, the zamindars and all others—why should this House be treated in this manner? It is wrong. I did not want to block this motion, i.e., the introduction of this Bill, by raising this point as a techinal or constitutional point, and which every one of the Members here is entitled to raise. How many of us will not be anxious to know what exactly is the direction given by the High Command? Now, I may point out, Madam, that if the Congress High Command advised enhancement of compensation, I am one who will oppose it; I am one who will agree with the Hon. Revenue Minister that it should be resisted and will refuse to accept the advice in that respect. The Congress High Command would take particular care to say 'This is only our advice, we are not compelling you, this is not a mandate, you do what you like.' Just for that reason I say the Congress High Command should keep aloof from the administration of the Provincial Government—who is in office is not the question, especially after the 15th of August. But they have had their own reasons, they knew how we are getting on here in this Madras Province; they had their own troubles and they also knew the troubles of the people here; and they also knew the troubles of the leaders of different parties. They believe it would not be possible for us to do work here for ourselves; we are still infants in the opinion of the Congress High Command, we have not yet attained majority. Just as the British Government were giving us advice and controlling us until this freedom came, the Congress High Command still believes it is necessary for them to interfere and give directions. This is a very important matter, it is not a small matter—this increase of compensation. And what is the time taken for discussion between the Congress High Command and the representatives of this Government when they were there? How long did they discuss things? What were the subjects which they discussed? Within a few hours, for one and a half hours

it was stated, they discussed—within one and a half hours, what could they understand of the zamindari system as it had been prevailing in South India? What could they understand with regard to any other subject connected with this legislation here? At whose instance did the Congress High Command offer to give advice in this matter? As I stated and as it appeared in the Press, were the Government also anxious to go and seek their advice in this matter? Where are we so far as this Province is concerned and so far as the subject-matter of this piece of legislation is concerned?

" The next point I would like to touch before coming to the Bill proper and the other points in connexion with this Bill, is the abolition of the zamindari system. The Revenue Minister said that the abolition of the zamindari system is one of the biggest points that we have been dreaming of and that it has at last come. I agree with him; we have been dreaming of that. Ten or eleven years ago when the Estates Land Act Enquiry Committee was constituted, as the Revenue Minister said, it was also considered whether it would be possible to abolish the zamindari system altogether. We knew, by the provisions of the Act by which we were governed, that it would not be possible to abolish the system itself, because the sanction of the Secretary of State was required under the Government of India Act.

12-30 p.m. " The Secretary of State was in existence until the 15th of August. The Secretary of State ceased to exist from the 15th of August. Therefore, we could not think of abolishing it in that proposal of ours. As an alternative, we said, let us fix the rate of rent first as the tenant has been groaning under the burden of taxation for such a long period. Let us examine the whole method and let us go into the question of their rights in the whole of India and then think of this legislation. It was only left to this Province to consider this question in all its aspects. Two long years were taken in investigation and examination of witnesses, oral and documentary, in different parts of the country and the Committee submitted a report stating that the rents fixed in 1802 at the time of the Permanent Settlement were unalterable and permanent and that they should not be increased or decreased at the will and pleasure of the Government. All that has been referred to by the Revenue Minister. He has taken the whole thing from our report only. Our report means, the report of the Revenue Minister, myself and every one of us here who worked it out. We produced that report, with the contents of which the Revenue Minister was in perfect agreement at that period. When that full report was about to be published—the Leader has gone away from his seat now (laughter), I would very much wish him to be present here—the Leader was one of the members of the Committee along with two other zamindars—you know, Madam, what those zamindars said—after the report was made ready. (An hon. Member: 'Dr. Subbarayan was not a member of that Committee.') I am sorry, Madam, so far as Dr. Subbarayan is concerned, I withdraw my statement. Madam, the two zamindars told us that it is a very

dangerous document and that it must be kept under lock and seal and that it should not be published. Of course, the Committee did not agree with them. Then, Madam, an attempt was made to see that the report was not presented to the House. The report was the property of the House because the Enquiry Committee was constituted on a resolution tabled by the present Revenue Minister, Mr. Kala Venkata Rao, who was at that time an M.L.A. (Interruption.) The position may be reversed in a day or two and Dr. Subramaniam may be a Member of the Government to-morrow. What were the attempts made at that time? An approach was made to the then Governor, Lord Erskine, and he was told about the danger of this report being published or being presented to the House and he was asked to interfere in the matter. The then Speaker—I am sorry the present Speaker is missing from his Chair now—the then Speaker, Mr. Sambamurti, was advised by Lord Erskine to see that this report was not presented to the House. The then Speaker turned round and said, 'How can I do it; it is the property of the House and how can I say that the report should not be presented to the House' and so he wanted this report to be presented. Then the Bill was prepared and it should have become law but there were some unforeseen circumstances and obstacles. The zamindars are my good friends; I have no ill-feeling towards them, but I say there was a deputation of the zamindars at Bombay waiting on the High Command representative. That representative said, 'Friends have come and made representation.' This time the call came not from Delhi but from Bombay and the representative said that the question might be settled personally. There was a letter written by him to the then Premier, Mr. C. Rajagopalachariar. Mr. Rajagopalachariar showed the letter to me and asked me to reply to it. I told him that the letter addressed to him must be replied by him. He advised our friend of the Congress High Command not to come here at all. I told the Premier that the representative wanted to come here. At that time, the atmosphere was thick with all kinds of rumours and scandals also. When I was on tour at that time, in a place called Tekkali, an address was presented, as is usually done by our countrymen. It was a printed address. It was pleasant to hear the whole address, but after reading it, the person quietly came to my side and whispered in my ear, 'There is a strong belief and a strong rumour that yourself and your Premier took a bribe of two lakhs of rupees to suppress this Zamindari Bill.' Of course, I was not very much astonished at it. I told the young man, 'My dear fellow, you flattered me so much in print but you poured scandal in my ears.' I told him to write underneath the printed address what he told me. I brought it and passed it on to the Premier. It was in view of such tension in the country, I told the Premier to write to our friend of the High Command not to come here at this time. To-day, the same thing has happened, after we have attained freedom. An advice has been given by the High Command—I feel so strongly, Madam, on this—an advice has been given, it may be taken as a command from the High Command, and it may change the whole thing in this

House—that advice was not made known to the Members. We have been labouring under very serious difficulties in this Province during the last three years, if not earlier than that.

"As I stated before, Lord Erskine, the then Governor, was then misled into the whole matter and he advised the then Speaker to see that the report was not presented. Afterwards, he went home—perhaps, he was reading the literature on board the ship—after he went home, in Guild Hall, he made a speech and he stated: 'There is a system called the zamindari system in India which is out of date. The sooner it was abolished, the better.' So, the abolition came from his own lips. After this report was published, what happened? In Calcutta, there was a proposal to deal with the question of the zamindari system. A Committee called the Floud Commission was appointed and that Floud Commission, soon after they saw these reports and what was stated there, fixed a programme to go round the whole country. The first place fixed by them was Madras. They came here. They made an enquiry in this Secretariat and I was the first witness to be examined with regard to the contents of that report, with regard to the land revenue system that was prevailing here and how we arrived at those conclusions. Conditions in Bengal were quite different. So they wanted to get out of the whole thing and so the abolition proposal from the Floud Commission came at that time. So, this is not a matter that has been taken all on a sudden. The abolition question was taken up even when we were in office. A resolution was moved and it was adopted and then we went out of office. The matter came into the hands of the present Government and it was left to them to move this proposed legislation.

"Madam, I am in entire agreement with the Revenue Minister and with the Government with regard to the steps that should be taken for the abolition of this system. I have been anxious to see that we do the right thing and that we do not do any mistakes in this matter, with regard to the interests of the parties concerned and with regard to the question of compensation which goes along with abolition. The Revenue Minister said that he has been backed up by various organizations with regard to the proposal. There was a Conference in the Gokhale Hall and it was opened by the Revenue Minister. A thousand delegates came from the Andhra country and Mrs. Sithamahalakshmamma presided over the meeting. The Revenue Minister opened the Conference and in his opening speech, he said that he was backed up by various organizations So far as I could understand, it was a Communist Conference that met in the Gokhale Hall: the Chairman of the Reception Committee was a Communist, and the whole programme was Communist. The Communists are very clever people. (Laughter.) I do not quarrel with Communists because they are Communists. They are very clever people; they know how to put the rope round the neck of others and drag them to them and then manage them. A double M.A. Communist met me when I went to Delhi some ten or eleven years ago. I asked him, what is your creed and what is

your programme. He said: 'Our programme is to enter any institution, accept their programme, do all our best to subvert and overthrow the whole thing.' "

SRI PILLALAMARRI VENKATESWARLU:—" He must be a Communist not belonging to the Communist Party of India."

SRI T. PRAKASAM:—" There are people who will talk things but I was trying to verify these matters. I do not charge Mr. Venkateswarlu or Mr. Nambiyar or anybody else.

" Let us take what has happened in the Gokhale Hall meeting. He might have approached the Revenue Minister stating, 'We are all your friends; we are your subjects; you please come and preside over our Conference' and the Revenue Minister, I mean the present Revenue Minister, would have readily agreed to. Look at the whole speech delivered by the Revenue Minister, Madam. He was expecting apparently that these Communists who invited him to this conference and who requested him to open that conference, would follow him. He was expecting that he would be able to carry them with him for his support, but they are very clever people; they made him speak and adjourned and continued the session some time in the night in another place, not in Gokhale Hall and Mr. Venkateswarlu presided over that meeting. What resolution did they pass at that meeting? They passed a resolution and voted outright that the zamindars were not entitled to any compensation and that they should not have any compensation at all. They also passed one or two more resolutions. That is why I said, they were very clever, very consistent and that they would do their best to capture anybody and take him into their fold. That is what happened to this Revenue Minister. (Laughter.) That is why I jocularly remarked the other day that he narrowly escaped going into Communism outside, but he disclaimed everything in his speech and dissociated himself from them. I point out now that he is not supported by the Communists with regard to this compensation business. They said, as I stated, the zamindars are not entitled to any compensation at all. (Sri Pillalamarri Venkateswarlu: 'Then we are supporting you in that.') You will support and the whole party will support me; I never had any doubt about it and whatever may have been the mistakes committed by some people I have not the least doubt that I am in the right and the right thing would come to pass. So far as the Communist Party is concerned, I have stated that the Revenue Minister is not backed up by the Communist resolution. If you go to the other organizations, what are the other organizations which the Hon. Revenue Minister said have backed him? I have got cuttings here and I have no time to take them and read out but I can say from memory what is contained in them. The Andhra Provincial deputation, the Kisan deputation, some other deputations approached the Revenue Minister, waited on deputation and told him that the 1802 rates were the proper rates and they should not be disturbed and in regard to compensation also, they

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refused to support the view of the Revenue Minister. Then, why has he stated, Madam, that all the organizations have been backing up his proposal here. Therefore, it is not correct to say that such proposals were accepted by any organization.

" When that is the case, let us see how the Bill is prepared and what are the provisions of this Bill with regard to these matters? Where do we stand so far as this matter is concerned? There was heated controversy in the Press and there were controversies on the platform also as admitted by the Revenue Minister on these two questions about the abolition of the zamindaris and the compensation payable to the zamindars. About abolition of the zamindaris there was no trouble at all. How was this Bill prepared and on what basis it was prepared? On the basis that the zamindar is the owner of the soil, he is entitled to the land and therefore he is entitled to have compensation. It was on that basis that the Bill was drafted, and the Bill stands like that even to-day. That is why I am obliged to give all my amendments now with regard to the various changes that have to be made. I am not raising a technical objection because there are these mistakes here and there, this Bill should be thrown out or it should be revoked or any such thing, but I am anxious that what I am holding for should be embodied in this Bill, if my view is correct. If my view is not correct, of course, it will share the fate of anything else. Sir, this Bill is drafted on the basis that the zamindar was entitled to compensation. The word ' proprietor ' mentioned in this connexion in various documents and in various Statutes, has been used in the Bill and the words ' interest in the zamindari ' are also referred to. It has also been pointed out that the forests, mines and all other things that are all in the zamindaris were entitled to compensation. So, it was on this basis that the Bill was prepared. That is why I have to take up this matter in the Press and enter into a controversy with the Revenue Minister from time to time and point out to him that it was not the correct position. After a long time, the Revenue Minister was good enough to accept the position that the zamindar had no interest in the land, that he was not the owner of the soil, but the Bill was not prepared on that basis. That is how he flung it into my face. The scheme of the Bill was that he is only a rent collector and that it was intended to give him compensation only on that basis. I shall be showing to hon. Members of the House taking the provisions of the Bill, how the whole Bill was framed. If you say that he is only a rent collector, then every clause, every section, every paragraph where this wrong idea was conveyed will have to be abandoned. As this controversy was going on, if the Revenue Minister had admitted that the zamindar was only a rent collector, the Bill could have been amended and it could have been presented in a proper form when he came up with its introduction now. He has not done any such thing and the Bill remains as it is and his admitted statement is that the zamindar is not the owner of the soil, he has no interest in the land but is only a collector for rents and it is only on that basis that he is proceeding. I request the Revenue

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Minister at least now before he forms the Select Committee and puts the Bill before them, to put it on the basis that every one he is going to choose as a member of the Select Committee understands what his idea is and that this Bill should be on that basis. What a terrible difference it makes, one can easily understand.

" This is a statement issued by the Revenue Minister and I have given it in the printed book at page 19, dated 17th September 1947:

' Mr. Kala Venkata Rao, Minister for Revenue, has issued a statement in reply to Mr. T. Prakasam's objections to the Zamindari Abolition Bill. The Minister says:

I have read with interest Mr. Prakasam's statement criticizing the provisions of the Bill for the abolition of the zamindari system in the Province. His central argument regarding compensation is that the zamindari being only an assignee for the collection of revenue, no compensation need be paid to him at all when that function is taken away from him. He also contends that if any compensation is paid at all, it need be paid purely as a matter of grace and that the basis for it may be one-ninth or one-tenth of the total revenue of the estate at the time of the Permanent Settlement plus the revenue from lands brought under cultivation after 1802.

Extremely divergent views have been expressed on the very difficult question of discovering a basis on which compensation should be paid to zamindars when estates are abolished. These views have ranged from an assertion on the one hand that no compensation should be paid at all, to a claim on behalf of the landholders that they should be paid compensation on land acquisition principles based on the present market value of their estates. The policy of the Congress in this matter is to pay equitable compensation. And discussion in different Provinces in India has centered round the question as to what equitable compensation is.'

" Hon. Members may note the next paragraph which says:

' The scheme of the Bill is to treat the zamindar only as an agent for the collection of revenue and to compensate him for the rights he has acquired in that capacity over a long period. The Bill does not concede any property right in the estate to the proprietor. Mr. Prakasam's illusory argument is intended for potential value of land, forests, fisheries, etc., has no place in this Bill. He must have misunderstood the scheme of compensation embodied in the Bill and has raised a ghost for nothing.'

" Now we have to consider whether I have raised a ghost for 1 p.m.
nothing. We have also to consider whether the zamindar is only a rent collector and whether the Bill is based on that basis. These are important things. The hon. Members of this House should try to understand exactly whether the decision taken by the Revenue Minister is right or whether my position is correct.

" The second point is still more significant. *' Mr. Prakasam has not chosen to explain why compensation should be paid on*

the basis of either one-ninth or one-tenth of the total revenue in addition to the revenue from lands brought under cultivation after 1802. *As far as I can discover there is no logical basis for one-ninth or one-tenth. As for revenue derived from extensions of cultivation it would be impossible in the case of most estates to discover the limits of the estate at the time of the Permanent Settlement and the area which has since been brought under cultivation. It is obvious that in the case of many estates these extensions will be considerable in area and to decide to award compensation on the basis of total revenue derived therefrom will put up the total compensation considerably.'* Therefore, on this matter of the basis of compensation he challenges me to explain why compensation should be paid on the basis of one-ninth or one-tenth of the total revenue in addition to the revenue from lands brought under cultivation after 1802. This is what he says:

As far as I can discover there is no logical basis for the one-ninth or one-tenth

This is a statement upon which he could have no doubt whatever because in his own previous speeches he recommended this one-ninth and one-tenth as the basis of the whole matter. He knew everything. In the heat of controversy and press correspondence he thought he could fling the whole thing at me saying he could not understand why I conceived this idea. I did not invent this. Did he not know at the time of the Permanent Settlement the basis upon which peishkash was fixed, the basis upon which after deducting peshkash the balance was distributed? It was divided into three parts: one-third for collection expenses, one-third for irrigation charges, and one-third for his commission allowance for the work he undertakes on behalf of the Government. That was the basis upon which the whole system started. I shall refer presently to the previous speeches made by him recognising this. Having known this he was not able to understand why I chose to say that one-ninth or one-tenth should be the basis for compensation. Regarding the basis of compensation, the next paragraph says:

'Mr. Prakasam urges that the unalterable rates of rent fixed in 1802 *will serve as a better basis for awarding compensation. In the first place that it is a moot point whether the rents fixed in* 1802 *are unalterable. While the argument may have validity in respect of money rents, it certainly does not apply to grain rents. And grain rents prevailed in most estates at the time of the Permanent Settlement. To put rents back to the* 1802 *level would be to ignore completely the course of events during the last* 145 *years including changes in the value of money and in agricultural economy generally. As for the argument that some unascertained rate of rent of the neighbouring Government lands is proposed to be fixed as rent payable to the ryot, I leave it to the public to judge whether the existing levels of ryotwari assessment are likely to prove more satisfactory*

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than the hypothetical rates of rent which prevailed in 1802 and which in most cases it will be impossible to ascertain at this distance of time.'

This is a statement which I have decided to print just to enable the hon. Members to know how the whole thing was wrongly conceived. The scheme of my Bill was that the zamindar was a rent collector. He forgot altogether about the contents of the Bill. He forgot everything that had been stated with regard to this. I do not charge the Revenue Minister with anything but memories are short. He forgot the whole scheme in the heat of the controversy on a matter like this. Is it right for him to say that this basis of one-ninth or one-tenth is not known to him? Again, he says:

'Mr. Prakasam criticizes the provisions in the Bill regarding payment of compensation in respect of forests, mines, fisheries, etc. The scheme of the Bill is to take over all estate lock, stock and barrel without assigning compensation separately for various items like forests, fisheries, etc.'

Apparently the Revenue Minister was not applying his mind to the provisions of the Bill which he has introduced himself. He has no idea that compensation was to be calculated under this Bill on the basis that forests, mines, fisheries, etc., belong to the zamindar and any money paid for these things belongs to the zamindar. That is the trouble and this is a very serious matter, Madam. It is not a small matter over which anybody can speak lightly. I will refer to the provisions presently in detail to explain how these things were included in clause (*b*) of section 3 of this Bill and how compensation was proposed to be calculated on the basis that these belonged to the zamindar and the money paid for them should go to the zamindar. He has forgotten that it was done differently. The scheme of the Bill is to take over an estate lock, stock and barrel without assigning compensation separately for various items like fisheries, forests, etc. The position is that the gross annual income from these sources for the first year after Government take over the administration will be added on to the assessment from cultivable lands and that one-third of the total will be taken as basic annual sum for purposes of compensation. *'The proposals in Mr. Prakasam's Bill were to vest forests, fisheries, etc., in village communities. They are valuable national assets and the proposal to let village communities to exploit huge forests and big mines would have been unworkable in practice besides being injurious to the welfare of the community as a whole. The present Bill seeks to put them in the same position as forests, mines, etc., in the rest of the Province and I am certain the public will regard this arrangement with much more satisfaction.'* I did not try to mislead the public as the Minister says. He says: *'To seek to mislead the public over this matter is really unjust on his part. Mr. Prakasam says whatever zamindars demanded in the memorandum submitted by them in regard to the basis and method of calculation of compensation are adopted bodily in the*

present Bill.' That was my charge and that is my statement now. I request the hon. Members to go through that memorandum presented by the zamindars and see whether I am right or the Revenue Minister is right. The Revenue Minister is trying to maintain it now as incorrect. After quoting my statement he says: '*This is simply not true. Reduced to bare essentials the Bill seeks to pay compensation to the zamindars on the basis of one-fifth of the annual income under a ryotwari settlement. The zamindars to my knowledge have never even suggested that such basis should be adopted. On the other hand the zamindars have always claimed compensation on the basis of their present net income. Mr. Prakasam cannot deny the knowledge of the fact that one-third ryotwari basis was partly worked up by his predecessor-in-office, Mr. Karanth.*'

1-15 p.m. "That is how the matter was presented by the Revenue Minister and he has been proclaiming ever since he took up this department that he would be evolving a law with regard to tenures in this Province in a scientific manner. Sir Muthiah Chettiyar, who is also a very clever gentleman, had been pressing upon me when I was in office the same view point and even eleven years ago he asked: 'Why the zamindari system alone is taken up; what you have done with regard to the ryotwari system?' In response to his question, I framed a Bill to regulate the rates of rent under the ryotwari system; but the Hon. Revenue Minister says that that Bill is not to be found. I always believed, whatever I may not have believed in the world, one thing and that is the way in which the records of the Secretariat are kept is such that the records are intact and the most ancient documents are preserved. Mr. Holdsworth, the then Revenue Secretary, when he saw the whole thing reduced into so many volumes, the most ancient documents put in that form, said: 'You have done a great service by preserving all these documents, documents which were ready to be moth-eaten and disappear.' So, ordinarily, no document will go so far as the Secretariat is concerned but I am now told by the Revenue Minister that the Bill is not forthcoming. But I remember the contents of the Bill and we proposed to reduce the assessment in the ryotwari lands also as we proposed to reduce the rent in the zamin areas. When the zamindars of the Andhra area either on account of ignorance or for want of proper guidance had been going on enhancing the rents, the Government had not been idle; the Government, as a sensible body, knows how to accomplish its object. I say without the least offence that the Revenue Minister has fallen in love with that ryotwari system and rate of assessment prevailing under that system. I pointed out that the enhancement made as a result of re-settlement must be cancelled in the same manner in which enhancement made by the zamindar was proposed to be cancelled. Actual facts are before us and there is no use of confusing the whole country and the unfortunate fellows who will become the victims if the procedure should be carried out now and the ryotwari rate is fixed as the proper rate immediately after the zamindaris are abolished. What would happen immediately the

zamindaris are abolished? The man who was prescribed to pay the rent fixed unalterably and permanently in 1802 must pay that rate only and that is the rate to which any reasonable person would go. I would ask the Hon. Revenue Minister 'Is it speculation?' The 1802 fixing of rent was not a mere process of fixing rent; it was creating a system of tenure and fixing rent thereupon. Mr. C. Rajagopalachariar, the then Premier of the Province, who is now the Governor of West Bengal and who acted as the Governor-General of India and who visited this Province recently, made very brilliant speeches in both the Houses pointing out how the rent fixed in 1802 was permanently fixed and unalterably fixed and that it should not be enhanced. So far as the money rents were concerned, that was proposed and as regards the varam rents, that could be converted on the money value of those years and both the things were proposed to be fixed up. I do not know how now the Revenue Minister has managed to evolve so many arguments and so many reasons to have recourse to this procedure prescribed by this Bill. It is in evidence and it is admitted by him that in the south of Madras there are zamindars who have not enhanced the rents fixed in 1802 and that obtains until now. In this case how can you go to the ryotwari rate? No doubt it is stated somewhere that if the rent is lower than the ryotwari rate, that should not be enhanced. Therefore, the 1802 rate is prevailing there and it is being paid and only the northern district zamindars made the mistake of enhancing year after year and time and again as they pleased. When he proposes to reduce that rate which will relieve the burden of the tenants there, he must have stated why there should be any difference between the northern districts and the southern districts. Whatever is prevailing in the southern districts from then until now as permanent and unalterably fixed, that should also prevail here in the Andhra districts. He is also a zamindari tenant who is coming from the Circars and why on earth should he think of having the ryotwari system rate here. He said he would give a scientific method. Simple common sense and nothing more than the application of the rule of three are all that is required. So far as the varam rates and the money rates are concerned, common rule is prescribed how to fix the valuation of the varam that was paid by the tenant to the zamindar. Both for varam and for cash payment, only one rule was fixed in the Regulation of 1802 and in the Patta Regulation and it applied up till now. He says that this is all the labour that we put in the Committee. But let it not be forgotten that for the first time what has not been stated anywhere else we stated in that report and that was that the ryot was the owner of the soil and that the zamindar was not the owner of the soil though he has been treated as such by the biggest of men so far. Even section 4 of the Estates Land Act which was piloted by the biggest of the lawyers of those days, was put in such a clever manner. When that was done, what is the difficulty to adopt that as the proper basis? One of the arguments advanced by him is that the ryotwari rate was the one everybody wanted. I wish to know whether the southern

ryot who has been paying the 1802 rate would accept your proposal to have it enhanced to the ryotwari level? Every body demanded; every one demanded because of the oppressive nature of the levy that was made by Government after Government and year after year; all these 150 years, they were simply reduced to powder. They said: 'If you cannot give us more at least save us by reducing the rate to the ryotwari level.' Is a responsible Government to quote that as against the records and as against solid facts for which nobody can give any answer. In particular circumstances they said that they would be satisfied with the ryotwari rate. In the Bill that I framed, I pointed out that the rates as they prevailed in 1810 was the one which the ryotwari ryot should pay and all other enhancement must be cancelled. The Government was not entitled to enhance assessment. Every time a re-settlement was made, it resulted in an enhancement of the assessment. Real resettlement should mean that the officer should ascertain the ability of the ryot to pay with reference to the yield from the land; if he is not able to pay, it must be reduced. Can you show one instance where there was a reduction of assessment on account of resettlement? Each time in the name of resettlement, there was an enhancement. That it was a perfect method must not be his presumption in favour of adopting the ryotwari rate. He himself pointed out that the ryotwari rate was causing trouble to the poor ryots. He himself pointed out in one of his speeches taking thirty acres as the least, about 48 lakhs of tenants and even more than that number require immediate relief—never mind about the bigger ones as there are bigger ryots who are as good as zamindars and possess thousands of acres. He pleaded for these unfortunate people eleven years ago; he made a speech that early legislation must be introduced and early legislation was introduced by me in response to his demand and the demand of Sir Muthiah Chettiyar. You do not know what troubles there were even for a Minister to introduce a Bill of the kind and carry it through in spite of the thumping majority behind us and sitting about our shoulders. That Bill has gone away and it is not to be found at all. Never mind. What happened subsequently even about that time with regard to the ryotwari rates? "

THE DEPUTY SPEAKER:—"The hon. Member may continue his speech after lunch."

The House rose for lunch.

(After lunch—2-30 p.m.)

MR. SPEAKER:—"The hon. Member, Mr. Prakasam, may continue his speech."

SRI K. T. KOSALRAM:—"There is no quorum."

The bell was rung and several members entered the House.

MR. SPEAKER:—"We are now 36 and the hon. Member, Mr. Prakasam, may continue his speech."

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SRI T. PRAKASAM:—" Sir, I was speaking in the morning about the ryotwari rates. I was saying how the report of the Estates Land Act Inquiry Committee was brushed aside by this Government as not worthy of consideration for adoption as the basis for compensation. I was also saying how the report of the Marjoribanks Committee, known as the Land Revenue Inquiry Committee, was brushed aside. The reason for that is not clear. Government cannot justify its position by taking a third course of action by stating that the current ryotwari rates should be adopted as the proper basis. Well, Sir, there are certain canons for legislative purposes also. Though I am not acquainted so much as you are with the text-books for regulating our conduct, I know there are certain rules and laws, even unwritten rules and laws, that when once you appoint a committee to inquire into certain matters, they should be taken into account and not brushed aside and take a new path, for which there is no basis and which cannot be defended on any ground. Sir, with regard to the zamindari system, the committee appointed by the Legislature produced a report, a Bill was drafted and it was about to be introduced, but it could not be proceeded with as the Ministry resigned under orders of the Congress in 1939. This Government cannot by law or by precedent produce another Bill like the one before us saying that it is a comprehensive one and that this is the only course we can adopt. Now, I say, no Government can be justified in adopting such a course in any country, even under the most despotic countries. If there had been no such committees it would have been a different matter. The Hon. Revenue Minister said, a rough and ready method would be adopted by him to give immediate relief to the zamindari tenants when zamindaris are abolished. That is, he said, he would make them all ryotwari tenants. Now, Sir, the Marjoribanks Committee not only made a report, they gave a remission of 75 lakhs of rupees by way of land revenue, and it was given effect to one or two years. When such is the case, how can this Government brush aside its recommendations and say that they will adopt the current ryotwari rate? One's heart fails to think of the position adopted. No reasonable Government would adopt that course; no reasonable officer will take up that course. Now what is the reason given for this course? Absolutely none. I have, for the sake of hon. Members understanding what is contained in that report, printed it in the form of a pamphlet, and if not now, at least later, you may find leisure to go through it. In that report is described the nature of the ryotwari tenure. Mr. Marjoribanks was a very able man. The members of the Committee were as follows:—K. Ramunni Menon, B. Ramachandra Reddi, C. E. Jones, J. F. Hall, Mahabala Hegde, P. Subbiah Mudaliyar, N. E. Marjoribanks. In that report you will find the nature of the ryotwari tenure, the difficulties experienced by the ryotwari ryots, the resettlement enhancement rates and other things in paragraphs 2 and 3. What they say is: ' *We the Committee appointed in Government Order so and so, dated 12th May 1937, to consider in the light of Government Order so and so,*

and make proposals regarding the method to be adopted in regulating ryotwari revenue assessment in pursuance of the new policy of the Government in ryotwari tracts of the Madras Presidency, have the honour to submit the following report. 'The Committee holds no brief for the Madras land revenue system. Several of the members have challenged, and still do challenge, the settlement calculations of the past. A brief statement of what this system is and how it was developed will however be useful to report. The system of periodic revisions of the land revenue assessment in ryotwari areas hitherto in force dates from about the middle of the nineteenth century. Up to that time, the history of land revenue was an incessant clamour for heavy reductions of the standard assessment and for remissions, while every sort of evasion and artifice was resorted to, both by ryots and by officials in order to lighten the assessment. This was necessitated by the every high "standard" assessments based on those found in existence at the assumption of the country by the East India Company and by the continuous fall in prices up to 1855. The Madras Government, therefore, decided about this time on a complete revision of the land assessment and to have the new settlement on a cadastral survey and a classification of lands according to their productive capacity estimated with reference to the staple crops in each locality. The crops selected were usually paddy second sort for "wet" land and cholam and ragi for "dry" lands.

'The normal gross produce, i.e., the gross produce struck on a comparison of good and bad years is valued at commutation rate which are usually considerably below the average of the previous twenty years, from which, moreover, all years of scarcity and high prices are excluded: from this sum from 10 to 27 per cent is deducted for merchants' profits and distance from markets; another deduction is then made of from 6¼ to 25 per cent for vicissitudes of seasons and unprofitable patches of soil, the allowances on dry lands being never less than 15 per cent and now usually 20 to 25 per cent; from this are deducted the estimated expenses of cultivation, and the remainder is taken as the average net produce; of this a normal half, usually rounded to a convenient lower figure, is taken as the Government assessment. But this again is subject to considerable reduction under the system of village or irrigation source grouping in which the circumstances, position, etc., of villages or the nature of the sources are taken into consideration, and finally, the result is compared with existing rates and lowered if relatively too high. (Paragraph 35 of the Report of the Board of Revenue contained in the 'Land Revenue Policy of the Indian Government.')

'Lands were classed as wet if they were irrigated from sources producing a regular supply of water sufficient for one or two crops. If the supply was normally sufficient for two crops the land was classified as double-crop wet and charged at 1½ times the single-crop assessment determined as above. If the supply was not normally sufficient for two wet crops, the land was assessed as single-crop wet, and if a second wet crop was successfully grown

on such lands it was charged at half the assessment. Second-crop charges could be compounded for at a lower rate, one-third, one-fourth, etc., of the assessment, but such compounded charge was leviable in all years, whether a second wet crop was raised or no. Irrigated crops grown on lands classed as dry was charged an acreage rate for water.

3. *On these general lines the assessments in the various districts of the Presidency were revised from* 1862 *to* 1898. *The districts of Malabar and South Kanara were the last districts to be dealt with by the Settlement department and present certain special features. There are practically no artificial sources of irrigation in these districts. The rainfall is normally abundant and unfailing. The lands were classed according to estimated productivity, lands growing paddy in Malabar as two crop or single crop and in South Kanara in three classes and lands growing coconuts and fruit trees were assessed in several classes on a count of the trees in bearing. The dry lands in Malabar were generally speaking all included in private holdings but charged assessment only if and when cultivated'* and so forth.

"In the subsequent paragraphs they dealt with the tarams and the classifications and some of these things, with regard to these dry ryotwari rates and the ryotwari lands. The report further says in paragraph 7:

'The Committee invited suggestions from those who have studied the Madras Land Revenue System and from associations representatives of ryots' interests. It has received a large number of communications chiefly from ryots' associations and in some cases from individuals. The most general demand is for a reduction of present assessments from $33\frac{1}{3}$ *per cent to* 50 *per cent. Of more detailed requests many deal with local grievances or wants sometimes unconnected with the subject of the Committee's enquiry. These will be noticed in a later paragraph. In one or two cases a radical change in the system of assessment is put forward. It is suggested for example that assessments should be based—*

(1) *on a revaluation of the capital value of the land, or*

(2) *on a revaluation as suggested in the Taxation Enquiry Committee's Report at not exceeding one-fourth the economic rental value. Or again it is suggested*

"I shall read from paragraph 8, Sir:

'The Committee therefore consider that, with certain modifications and alterations, the existing scales of assessment, based as they are on calculations, of rental value made in every district over 30 *years ago and in most cases revised at least once subsequently may well serve as a starting point for future changes. Some districts were however settled years ago on commutation rates which are lower than existing prices. Others have been resettled comparatively recently on commutation rates which more nearly approximate to present prices.'*

" Paragraph 9 reads:

' Appendix II shows the year in which each district was settled, the commutation rates of staple grains adopted, the year of resettlement and the re-calculated commutation rates (resettlement), the increases imposed at these resettlements and the present prices of the staple food grains. A study of Appendix I and the figures in Appendix II has led the Committee to the conclusion that if the percentage increases after 1914 *on account of rise in prices be eliminated, the resultant assessments with certain modifications specified in paragraph* 13 *may fairly be taken to be equal in incidence in all districts.*

10. *Wherever land is assessed as wet the charge for water is consolidated with the charge on the land and therefore wherever under the above proposals the percentage increase in assessments is cancelled the charge for water is to that extent also reduced. Where the charge for water is separately made, the land being assessed as dry, the charges are either general at the rates set out in B.S.O. No.* 4 *or special to particular irrigation projects.* The *general charges have not been changed in recent years on account of the rise in the prices of agricultural produce except in the districts of Godavaris, etc., etc.*'

" In this way after very careful consideration and investigation it came to the conclusion that the assessment should be reduced by 75 lakhs. This recommendation was accepted by the Government and it was given effect to and remissions were given like that. The Hon. Revenue Minister knows this. Perhaps in the second year of the application of the recommendation of this report by this very Government he pointed out in a speech of his made in this Assembly that out of 75 lakhs only 70 lakhs had been distributed and that there were still 5 lakhs and that these 5 lakhs might be distributed for relieving certain distresses in East Godavari and some other districts. Knowing all these things, knowing that the report of the Marjoribanks Committee's report is there and having applied it in general and having asked for applications from his district to meet certain difficulties arising out of excess taxation in regard to water, how did he reconcile himself to throw away that recommendation which was acted upon and then find out this new one that has come out of his own imagination and dream, i.e., the existing ryotwari rate as it prevails would be taken as the rate now. He himself stated that this is not a Bill which will abolish zamindaris straightaway and that it was a
3 p.m. complicated one. According to him it will take four years to take over these zamindaris. During this period why should they be subjected to the payment of the ryotwari rates of taxes? The Revenue Minister wants to enforce the thing in the same manner in which the Adviser's Government would have done.

" Sir, I would not have been reading all these things to you if it were not for my desire to impress upon the Government that what is now attempted is a grievous wrong to those ryots of the Circars who had been groaning under heavy taxation of the

zamindars. He himself stated how these tenants were suffering under the rack-renting system of the zamindars. He wanted all the extra collections over and above the 1802 rates to be cancelled. The lancet should be applied first to remove all these things. The Revenue Minister would have done well if he had applied the lancet to the Circars first and brought them to the level of the southern zamindars. Why should the Hon. Minister have so much hatred towards the permanent settlement rates which were fixed by the Committee? His point was that there was no question then of abolition of zamindaris but only a question of reduction of rent. Now that there is the question of abolition, we should go to ryotwari rates. Is there any reason or justification in that position? I should not have troubled this House about this, but I am sure, Sir, any Judge or Jury would be perfectly satisfied when I say that this is a tyrannical attempt to book these unfortunate fellows for at least four years." (Interruption by Hon. Sri Kala Venkata Rao.)

MR. SPEAKER:—"The hon. Member Mr. Prakasam is not yielding."

SRI T. PRAKASAM:—"I was glad that he called himself my sishya. We will continue that relationship for some more time to show what sort of disciple he is." (Laughter.)

THE HON. SRI KALA VENKATA RAO:—"And what sort of Guru he is."

SRI T. PRAKASAM:—"If I myself had done anything wrong and had omitted to include the remission of Rs. 75 lakhs in the budget in one year when I was holding office, why should the people be punished for my mistake? Is it the people who should be dealt with? Look at the reason that he has given to you and to hon. Members! He does not dispute the fact that a remission should have been given, that it had been decided upon. If a foolish Minister, a Revenue Minister made a mistake or a Prime Minister made a mistake—I do not think the mistake was made by me when I was Revenue Minister 11 years ago; the hon. Member must be referring to the mistake when I presented the budget after 11 years—that should have been corrected by him when he became a Revenue Minister. He should not quote it as a precedent and say: 'Because you omitted to do this, I do this.' That is punishing with a vengeance millions of ryots. This does not stop with four years. What happens afterwards: You will have to settle the ryotwari rates by a separate Bill. The appointment of a settlement officer, a commission of enquiry, and so forth are only a temporary arrangement. He is thinking of bringing a scientific Bill or law along with all other things and have one law or code for land revenue which will stand to the honour and credit of the Revenue Minister. When will it be coming, if this thing takes four years? (Interruption.) Yes, if we can sit together, in two weeks the whole legislation can be placed before the House. I do not dispute that position. For eight

months he has spent in office he has been promising a scientifically based system of taxation. In reply to the Kumararaja Sir Muthiah Chettiyar the Revenue Minister said: 'I am not a man who will go piecemeal. I will bring in all these things together so that whole thing can be settled.' His speech is there. I expected him to take all these things, prepare separate Bills or put them in the same Bill. I have been more anxious than anybody else that some such thing should come out of the labours of the 11 or 13 years in the direction of giving relief to the suffering tenants. I have been labouring hard for this. I have been trying to put in amendments in this Bill. I am submitting to this House a revised Bill, a Bill showing how this Bill will look after the incorporation of my amendments. If this is accepted, I shall be perfectly satisfied. I have framed these amendments so that another legislative sitting and all these things may not be necessary. Anything can be done if there is heart. If there is no heart, even God cannot compel a man to do anything.

"It has been my object to show how unreasonable the Revenue Minister has been in not accepting the reasons and the facts as they stand. If I have said anything untrue or unreasonable I will withdraw the whole thing in one minute and sit quiet. I feel that injustice is being done. In the name of independence after the 15th August that a Bill of this complicated nature should be presented to the House, no one could understand. You can easily say: 'The zamindaris are abolished. Rent should be fixed at this rate.' But you reject the Estates Land Act Committee report, the Marjoribanks Committee report, reject everything done by the Government and say: 'See what I have done. What I say must be the law. I am the uncrowned king. King Canute must rule.'

"Sir, I am not taking pleasure in criticising him, but these are the facts for which no one can reply. How can the Hon. Minister say that this is a scientifically prepared Bill? Where is science or logic in it? I have read several passages from his speech. He has himself admitted many things. He does not dispute them now. He sits quiet. He is a very good man. But in action he does not understand whether he is scisscring me here or the millions of people outside. I am not talking of the question of compensation. I am talking of the question of rate of rent. He rejects the Marjoribanks Committee report with regard to the ryotwari lands, rejects the Estates Land Act Committee report with regard to the zamindari lands and out of his own imagination he says that people are anxious to have ryotwari rates. What will the people do? People who have been suffering for a long time will be thankful for whatever little they are given. He says he has prepared this on a scientific basis. I should like the hon. Gentleman to explain where he has got this scientific structure in this Bill."

THE HON. SRI KALA VENKATA RAO:—"Did I say that the rates in this Bill have got a scientific structure? I only

referred to the progressive rates which I would like to introduce into the system of ryotwari settlement when we codify the land laws. I can tell the hon. Member that the matter is already being examined and I do hope by the Budget time we can have the proposals ready. If that Bill becomes law earlier than the work of settling the estates, i.e., before four years—then these lands also can be brought under that law."

SRI T. PRAKASAM:—"I must offer my thanks to the Hon. Revenue Minister for saying that he did not mean that. I will take that passage and show later on. I have been charging him only with lack of memory. (Laughter.) Having stated clearly, having expounded the whole law with regard to the one-ninth or one-tenth as the basis for any action in the zamindari areas, he forgot conveniently and challenged saying: 'How did he get it and where is the cause for accepting this one-ninth or one-tenth?' Like that he went on." 3-15 p.m.

THE HON. SRI KALA VENKATA RAO:—"In the paragraph which the hon. Member is quoting, I was speaking about compensation."

SRI T. PRAKASAM:—"This is not the way in which he should try to distinguish. He distinguished, in the case of Mr. Vaidyanatha Ayyar, by quoting the cow and the calf. (Laughter.) Mr. Vaidyanatha Ayyar replied by saying that not only the firewood but also the carrier of the firewood was included in the bargain. What I have read, he has not read; what I have seen, he has not seen. But he has been imagining that he knows more than anybody else."

THE HON. SRI KALA VENKATA RAO:—"I have never made any such claim."

SRI T. PRAKASAM:—"If he has not made that claim, how could the Hon. Minister fix the ryotwari rate as it prevails to-day?"

THE HON. SRI KALA VENKATA RAO:—"I will explain when the time comes."

SRI T. PRAKASAM:—"Then there need be no interruption with regard to that. I shall be glad if he accepts the correct position even to-day and makes the necessary correction."

THE HON. SRI KALA VENKATA RAO:—"I am prepared to do it provided I am convinced and the House also is convinced."

SRI T. PRAKASAM:—"I am trying to convince the Hon. Minister and the hon. Members of the House. I know his sheet anchor and how he has been trading on our ignorance in this House. (Laughter.) I have not lost faith or confidence in the hon. Members with whom I have been associated and with whom I am dealing. Even though we may commit errors, I have been

always certain that, when the real position is presented and when the hon. Members understand it, they will try to correct unlike the Revenue Minister. (Laughter.) I never had any doubt about that. Otherwise, I would not have been endeavouring to convince them. Having worked so long with the hon. Members here, it is my duty to tell them all that I can tell and to take from them all that I can take. I will learn even from the youngest of these Friends. There is no difficulty about that. The Hon. Revenue Minister does not believe much in the capacity of the hon. Members of this House or even his own Party in their competence to grapple with difficult questions relating to land laws and their preparedness to go forward along with him in the revolutionary land revenue reforms which he is advocating. I will read a little passage from one of his public speeches. He has not only been a legislator and an administrator, but he has also been a propagandist, a propagandist of one of the best kinds. Some of us have ceased to be propagandists. He has taken our place even as a propagandist. All hon. Members may carefully hear the words of the Revenue Minister with reference to the capacity of the hon. Members of this House to appreciate the difficult problems of land reform. These are the words which I have taken from his speech in a place in Madras. The report of the speech is very long and I am reading only the relevant words.

'He would not be revealing to them—("He" means "the Revenue Minister)—a secret if he said that with the present legislature composed as it was by the members, it would be too much to expect any revolutionary reform to be acceptable to it, which aimed at the transforming of the proprietorship of the soil from the middle class to the tenant who already cultivated the soil.' "

THE HON. SRI KALA VENKATA RAO:—"What is wrong there?"

SRI T. PRAKASAM:—"Nothing wrong. Did I say that there was anything wrong? The Hon. Minister has described the incapacity of the Members of the Legislature."

THE HON. SRI KALA VENKATA RAO:—"I only said that this was a middle-class legislature and that the representatives of the middle class would not agree to the transfer of the proprietorship from the pattadar down to the under-tenant. The quotation is about that."

SRI T. PRAKASAM:—"Are these hon. Members incapable of understanding and giving effect to the transfer of ownership from the proprietor to the actual tenant on the soil? I do not say that with regard to them. In whatever direction we might have been carried away by winds and storms on certain occasions, every one of us possesses full commonsense and ability. We need not be lawyers to understand these things. As Mr. Vaidyanatha Ayyar was saying, what is going to happen after some little time

when the next elections come and the Legislature meets, God alone knows. I am not afraid of that. I was prepared for the Revenue Minister joining the Communists and both of them fighting the people. I am not afraid of anybody joining hands with anybody else in unholy and unrighteous causes. If the cause is just, it will flourish even though the affected person may be made to roll on the road a number of times on account of freaks and vicissitudes. That is the legislation which he contemplates and which some of us have been contemplating for a long time. But nothing could be done in former days. Legislation was contemplated by the so-called Justice Party people, and remarkable attempts were made by them. That is a thing which has yet to be accomplished. Take for instance the conversion of the zamindari landholder into a ryotwari landholder of which the Government are so much enamoured to-day. We were thinking at one time or rather others thought and we read and learnt from them and in that way we are attempting to make some progress that the tax upon small holdings of one or two acres would not fetch anything and that there should be no tax on such holdings. (Mahboob Ali Baig Sahib Bahadur: 'Hear, hear.') People should be free to cultivate and they should get something from the land they cultivate. Even after the eight months that the present Revenue Minister has been in office, the Government have not thought of revising the ryotwari rates. It was in the hands of the Government and nobody in this House or outside would have objected to such revision. As I said, he appealed to me for passing legislation as early as eleven years ago. Now we are in the twelfth year. It is eight months since my Friend came into office, and now he promises to bring some measure for the reduction of ryotwari rate also. It could have been done before this. Even now, as we are sitting on this Bill, I am not for postponement. We can sit for that also day after day. As the Hon. Minister said that he was adopting some rough and ready method for giving immediate relief to the zamindari ryots, some such rough and ready method could have been adopted for that Bill also and given effect to till things are finally settled in due course, without waiting for so many months for the Select Committee to go into the question and for my amendments. Whether my amendments are accepted by the House or not, I am not going to leave the matter there. It is the millions of people for whose interests we have been fighting. We have to fight not merely by word of mouth; we have to do everything when the time comes. Therefore, I will ask him, if that Bill has already made any progress, make it ready, bring it here, put it as one of the sections or sub-sections in this Bill. The whole thing can be finished. I have tried to give amendments only in that way so that this Act would be self-sufficient both with regard to the zamindari lands converted into ryotwari lands and the ryotwari land which existed as such previously, and the rents revised at least on the basis of the Marjoribanks Committee Report, if not on the basis of the Bill

that I drafted taking the rates as they prevailed in 1810. At least the rates fixed in 1810, after the settlements and resettlements done by the British Government, remain as the basis. Let the Hon. Minister give at least that much relief. He can bring that also into this Bill.

"Now, Sir, I said some time ago that the whole structure of this Bill was modelled on the recommendations made by the zamindars in a memorandum presented by them to this Government."

THE RAJAH OF VENKATAGIRI:—"Sir, may I ask my hon. Friend Mr. Prakasam what the memorandum is that he is referring to, because several memoranda were submitted to the Government?"

SRI T. PRAKASAM:—"I was just looking for the paper to give that information. Sir, one petition was presented to the Government about April 1947 which appeared in the papers under the headline "Proposed Estates Land Reform, Zamindars' Representation to the Madras Government". A second memorandum was presented by the zamindars to the Government about
3-30 p.m. the 19th August 1947. They were also good enough to send a copy of the memorandum to me, Sir, and I am giving the date from the postal seal on it. The signatories to the second memorandum were the Rajah of Bobbili, the Maharajah of Pithapuram, the Zamindar of Munagala and the Zamindar of Telaprole. In the first memorandum the name of the Rajah Sahib of Venkatagiri was also there."

THE RAJAH OF VENKATAGIRI:—"Perhaps that is a different memorandum that he is referring to, Sir, and I don't think that my hon. Friend, Mr. Prakasam, can charge the Hon. Revenue Minister with having accepted any substantial portion of the requests contained in the memorandum submitted to the Government on behalf of the Landholders' Association."

SRI T. PRAKASAM:—"We must have committed many crimes, Sir. The Rajah Sahib says that he gave Memorandum No. 1 to me and one to the present Revenue Minister or to some others, and that their requests have not been accepted substantially. Well, Sir, let me see what were the demands made in the second memorandum which the Zamindar Sahibs have submitted to the Government. My hon. Friend has stated that he did not see anything scientific in the structure of the Bill that is now before us. But I should like presently to refer to the Bill in detail and show how far the requests contained in the memorandum have been met by this Bill. For the present, let me say this that this second memorandum given by the Rajahs of Bobbili, Pithapuram and others is a very learned document, a document prepared not by themselves, but by the best of the legal advisers they could get. It started with a statement made by Lord Justice Moulton in a particular case in England recorded in 1909, 1, King's Bench

Division, 16. Lord Justice Moulton was a very able Judge. I knew him as a Judge of the Court of Appeal in England. In this memorandum in the first paragraph it is stated thus:—

'1. *The acquisition of zamindaris by the Government on payment of compensation being now a settled fact, there are a few points in connection with the question of compensation to be paid to the zamindars which it is proposed to emphasise here under three heads—firstly, as to the determination of the amount of compensation; secondly, as to the authority which is to make such determination; and thirdly, as to the mode of payment of the compensation as and when determined.*'

Now take the provisions of the Bill, and if we have got the patience, let us compare them, paragraph by paragraph with the proposals made by these gentlemen in this memorandum of theirs. In paragraph 2, the memorandum says:

'2. *It may be mentioned at the outset that the necessity for a correct appreciation of the principles of law and considerations of equity and justice relevant to each one of these three heads cannot be over-emphasised. To-day it is a question of liquidation of the zamindari system of land tenure and the ascertainment of the measure of equitable compensation awardable therefor. To-morrow it will be a question of nationalization of industries and of State interference with huge mercantile interests and business concerns. Unless to-day's questions are properly solved, the solution of to-morrow's questions with reference to other interests whose turn too may come ere long will stand prejudiced. It is essential, the more, therefore that the perturbation of the public mind over the burning question of to-day should be completely allayed so as to produce the impression in the public that principles of abiding fairness and justice will not be lost sight of by the State in connection with its treatment of similar questions of the future.*'

"Nothing wrong; all the things stated therein are high sentiments and everything is on a high level.

Now take paragraph 3. It states:—

'3. *The idea of "Compensation" as very aptly put by Fletcher Moulton, J., in the well-known case of Lucas and Chesterfield Gas and Water Board* (1909, 1. *King's Bench Division*, 16) *is that the owner receives for the lands he gives up, their equivalent, i.e., that which they were worth to him in money, that his property is not therefore diminished in amount but to that extent is compulsorily changed in form.*'

"Sir, that is a high doctrine laid down by Lord Justice Moulton. It is no new doctrine laid down by Justice Moulton. He was a very eminent Judge in those days and a gentleman in every respect,—as English people on the top have always been,—although we, as their subjects have always been at the bottom. That has been the rule so long as they were in this country. In

England, Sir, as in any other advanced western countries, robbery, dacoity, burglery, house-breaking—all these things are done in an advanced, in a civilised and in a particularly scientific manner; nothing of the old uncouth, ugly and barbarous methods adopted by our burglers here. So, Sir, in those days also, they laid down rules and laws for the conduct of their affairs and we have to follow them in the conduct of our affairs also. But it must be understood, Sir, that the doctrines which they have laid down are no new doctrines. Even from our very ancient times, our law-giver Manu whom we have referred to in the Report, has laid down a number of doctrines far more laudable and far more admirable in their sentiments, for the conduct of human affairs in this land and from the times of Manu onwards, ever-so-many laws and rules of equity and justice had been laid down and these were only transferred from this country to other western countries, as all other things were, which are our heritage. But that apart, Sir, what do we see to-day? To-day our burglers in this country adopt the old methods of the crowbar, the spade and the saw, with which they operate their business, whereas in western countries they adopt, as I said, far more advanced and scientific methods. To commit house-breaking or to break open an iron safe, they will not adopt the method of our burgler friends here. They will simply put some acid and the whole lock will go to pieces and they will take everything in the iron safe and go away. Just as they entered without anybody's knowledge, so they will leave the area without anybody's knowledge. That is the British method. Our method is quite different. (Interruption.) Although they have left India with goodwill, their agents are here now. This scientific method which Lord Justice Moulton had laid down here is simply a reiteration of the principles contained in the British Jurisprudence and the same principles and doctrines had existed in our country and are found in our Indian Jurisprudence also. This rule as it applies to the owners of property, or who had an interest in property applies in this country also. I will presently take you, Sir, to the various provisions in the Bill to show how all the requests contained in the Zamindars' Memorandum and the principle as enunciated by Lord Justice Moulton have been incorporated in it. Let us go to the Memorandum, Sir. After quoting Justice Moulton, the Memorandum states in the next paragraph—

'4. *It is, therefore, well settled by decisions of Courts that the equivalent is estimated on the value to him, and not on the value to the purchaser or the acquirer. Whether the latter value is more or less than the former is immaterial. Then again, it is also settled that the value to the owner consists in all advantages which the land possesses—present or future, though it is the present value alone of such advantages that falls to be determined. That is why the tribunals assessing compensation may take into account not only the present purpose to which the land is applied, but also any other more beneficial purpose to which in the course of events it might within a reasonable period*

be applied, and may estimate the compensation with all its existing advantages to the owner and all its potentialities and possibilities excluding any advantages incidental to changes due to the acquisition.'

"Now, compare this statement with what is contained in the present Bill, Sir. In the present Bill, forests, mines and all other things—the present value, and their potential value as well as their future value even—if they are to be taken away from the zamindar or any person in possession of them, should be paid compensation. Therefore, it is on that principle that the present Bill is framed, Sir. (Interruption). Sir, I shall presently go into the Bill, section by section, and point out how they have been copied from here.

"In paragraph 5 of the Memorandum, it is stated—

'These two propositions embody principles implicit in the very conception of compensation and have received recognition in India as well as in England. In cases under the Land Acquisition Act the market value of compensation awardable for the land acquired has accordingly been assessed on the basis of these principles and propositions.'

They have quoted the Land Acquisition Act also. The Hon. Revenue Minister has been referring to section 299 of the Government of India Act which refers to the acquisition of land and the payment of compensation. They have also referred to the Land Acquisition Act to show how that Act should be applied when the zamindars are taken away. They have stated that they were entitled to ownership also. They were perfectly justified in making out a case in the manner in which they have attempted to do. *'Applying these principles and propositions. Courts have ruled that the market value of melwaram is the sum which the melwaram would fetch in the open market* (1933, *Mad.* 190).' Even the agricultural income was referred to. Then again, *'in the case of property which has market value, 25 years' purchase of the hypothetical rental would be a proper method of valuation'*. There is nothing which they have omitted. Their memorandum may be converted into a Bill without any effort. If we wish to support their case, if we wish to accept their principles and their rights, if we desire to award compensation on the basis on which they are claiming it, we can easily take their memorandum and ask the expert Department to draft a Bill for our acceptance. That is why I stated that the Bill has been taken from the memorandum presented by the zamindars. It is true that the Bill drafted by the zamindars was not taken in as such and that is not the Bill before this House now, but except that, everything else has been done. Now, I ask, is there any reason why different considerations should weigh with the Government in acquiring zamindaris? Having stated the present valuation, the potential valuation and all present, future and potential interests, they have asked why this Government should apply different methods for this purpose. 3-45 p.m.

" Now, Sir, let us compare certain provisions of the Bill with the provisions in the memorandum and also with the admitted position of the Revenue Minister that the zamindar is not interested in the land, is not the owner of the land, is not the proprietor of the land, but is only a collector of the revenues for the Government. That is the basis on which the Revenue Minister presents his case now; and he charged me with not having been able to understand the scheme of his Bill. He said the scheme of his Bill is that the zamindar is only a rent collector, he is entitled only to compensation, so that he might get something for being deprived of the business of collecting revenue for the Government. You will have to compare the terms of this memorandum with what he has now agreed to in the provisions of the Bill. 'The zamindars' interest'—that language may be noted—' is the melwaram interest in land which for a long time has been recognized as proprietorship by Regulations and Acts of as early as the beginning of the 19th Century and by judicial decisions of the highest authority under such Acts and Regulations. A resolution of the Working Committee of the Indian National Congress of some time back declared that the liquidation of the zamindaris should be effected on payment of an equitable compensation to the zamindars. That is to say, the compensation paid must be just and fair.' I accept their interpretation of the words ' equitable compensation '. The meaning of the word ' equitable ' is well-known and also the meaning of the word ' compensation ' is well-known. As men of commonsense, they said it must be fair and equitable. That is their position, but not the position taken by the Government in this Bill. The compensation is an irreducible minimum of Rs. 10 crores—that is what the Revenue Minister has been proclaiming on the platform and in the press. (Interruption by the Hon. Sri Kala Venkata Rao.) If you have not said it, I will not press that point. But I have got it here in print, and I will be able to tell you where you stated so."

THE HON. SRI KALA VENKATA RAO:—" I never said ' irreducible minimum '. "

SRI T. PRAKASAM:—" If you did not use the word ' irreducible ', I withdraw; but I think you used the word ' minimum'. "

THE HON. SRI KALA VENKATA RAO:—" I never used the word ' minimum '; I used the word ' maximum '."

SRI T. PRAKASAM:—" If I am wrong, I shall be corrected; but if you are wrong, you must be corrected. You may not have meant it, but for the matter of that, you did not mean so many other things too.

" Then, they have given the process of calculation also. ' The present income must be so capitalized as to help the zamindar to realize from the amount of compensation an amount equivalent to the present income. In any case, it is submitted that the compensation ought not to be less than twenty-five times the present

income. In ascertaining the income to be capitalized, the present rents, it is submitted, ought to be taken into account, or if they are to be levelled down to the rates of rent of ryotwari areas where the present rates are higher, the present rates where lower, should be levelled up to rates prevailing in ryotwari areas.'

" Differentiation will not do—that is what they have stated in the next paragraph. Further on, in another paragraph, they have explained the process of capitalization. Paragraph 11 refers to the forests, mines, etc. ' While fixing the amount of compensation on the basis of capitalization of the present income, Government should, in fairness, also assess the value to the zamindar of those parts of the estate which may at present be yielding no income, but which are capable of yielding it—such as forests and mines and cases of those punthas and porambokes in which the zamindar and not the Government has the reversionary right.' It says they have reversionary rights in forests, punthas, etc., in the same manner in which they were claiming the right to the soil in the zamindari areas. ' The compensation must, in the case of such property, be arrived at on the basis of the hypothetical rental adverted to in paragraph 5 supra.' Then they referred to the cost of maintenance of charitable institutions and said that they should not be deducted from the income. In paragraph 14 they have pointed out that a tribunal should be fixed up for enquiry into these matters. In the next paragraph 15, they explain the mode of payment. Section 9 of the present Bill deals with this and section 8 with the tribunal.

" Now, Sir, as regards compensation, in the first memorandum presented in or about April this year, they pointed out that compensation should be paid. The first memorandum of April was a very simple memorandum; and four months later in the month of August, they presented the other memorandum from which I have read out just now, suggesting what the Bill should contain. We shall now look into the first memorandum and see what is the amount of compensation which the zamindars claim. The note was signed by the Raja of Bobbili, Maharaja of Pithapuram, Zamindar of Munagala, Zamindar of Mirzapuram, Zamindar of Teleprole and the Zamindar of Kapileswarapuram, and it has been submitted to the Government in connexion with the proposed Estates Land Reform. There they give the basis for compensation; they have given figures to show their net income. ' The total gross demand of all permanently settled estates in the Madras Presidency is approximately 222 lakhs. This figure includes Rs. 47,50,000 peishcash and Rs. 36,34,000 cesses, half of which are recoverable from the ryot. Out of the balance of about 140 lakhs in the hands of the zamindars, administration and other charges take away Rs. 43 lakhs, leaving a net income of Rs. 97 lakhs for which the zamindars have to be compensated.'

" I request the attention of the hon. Members of this House to follow the details of the first memorandum presented in or about April, four months earlier than the second memorandum. 4 p.m.

They stated the income and the expenditure, and the balance is given as Rs. 97 lakhs and on that Rs. 97 lakhs, compensation should be paid and on which the full compensation has to be based. That is what they have stated in the second memorandum and that is also what is stated in the Bill to-day. They arrived at the figure of Rs. 97 lakhs, and on this amount Government must pay compensation. If Government had approached that matter with that statement before them, they would have arrived at the figure of Rs. 97 lakhs. (An hon. Members: 'It is not so in the Bill.') I know it is quite different in the Bill. In April, this memorandum was presented and in this memorandum they stated in the third paragraph, that the compensation payable would be roughly 19 crores of rupees if calculated at twenty times. After calculating at twenty-five times the figure, it comes to 24.25 crores. The interest charges would amount to about Rs. 57 lakhs and Rs. 7½ lakhs respectively. These financial obligations will leave a handsome margin to the Government, even if the rent roll of the estate is reduced by introducing the existing ryotwari rates. It has to be remembered that in the great majority of the unsurveyed estates, experience has shown that the surveyed extent of the lands under cultivation would be more than 40 or 50 per cent of the areas now recorded in the village accounts, which means that all these lands are at present unassessed. In the hands of Government, there would be a great saving in the cost of administration as the collections are made by village officers who do not receive any additional remuneration for this service. The second memorandum is on a different basis altogether. For the present interest, for the future interest and for the potential values, all these calculations are put in in the second memorandum.

"Now, Sir, I would request your attention to the Bill proper in order to find out whether there is anything in this Bill to indicate whether you are proposing to do away with the agency-ship of the zamindar for collecting the revenues for the Government or whether you propose to deal with the zamindar on the basis that he is interested in the land. The preamble is this:

'Whereas it is expedient to repeal the Permanent Settlement, acquire the interest of zamindars.

Acquire' has got a technical meaning given to it under the Land Acquisition Act or under section 299 of the Government of India Act.

'Whereas it is expedient to repeal the Permanent Settlement, acquire the interest of zamindars, inamdars and under-tenure holders in permanently settled and certain other estates in the Province of Madras and introduce the ryotwari settlement in such estates; it is hereby enacted as follows':—

Clause 1 reads—

'(1) This Act may be called the Madras Estates (Repeal of the Permanent Settlement and Conversion into Ryotwari) Act, 1947.

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(2) It applies to all estates as defined in section 3, clause (2), of the Madras Estates Land Act, 1908.

(3) This section and sections 23 and 25 shall come into force at once; and the rest of this Act shall come into force in regard to any estate on such date as the Government may, by notification, appoint: '

Again, Sir, in clause 2, sub-clause (*i*), ' proprietor ' is defined as follows:—

' Proprietor ' means the person owning an estate.

Then, let us take section 3. It says—

' With effect on and from the notified date and save as otherwise expressly provided in this Act—

(*a*) the Madras Permanent Settlement Regulation, 1802, the Madras Estates Land Act, 1908, and all other enactments applicable to the estate shall cease to apply thereto;

(*b*) the estate (including all communal lands or porambokes, waste lands, forests and other non-ryoti lands, mines and minerals, irrigation works and fisheries), shall stand transferred to the Crown and vest in it, free of all encumbrances, in the same manner as lands in ryotwari areas; and the Madras Revenue Recovery Act, 1864, the Madras Irrigation Cess Act, 1865, and all other enactments applicable to lands in such areas shall apply accordingly to lands in the estate;

(*c*) all rights which may have accrued in the estate before the notified date to the proprietor or any other landholder of the estate or to any person not being a ryot or a person holding under a ryot, shall stand transferred to, and be enforceable by, the Crown, in accordance with and subject to the provisions of this Act;

(*d*) the proprietor, any other landholder, and any other person whose rights so stand transferred shall only be entitled to compensation as provided in this Act.'

Leaving sections 4 and 5, we come to section 6 which deals with compensation as follows:—

Compensation shall be determined for all rights in an estate which stand transferred to the Crown in pursuance of section 3, clauses (*b*) and (*c*), in accordance with the following provisions:—

(*a*) The compensation shall first be determined for estate as a whole and not separately for each of the interests therein.

(*b*) After the completion of the ryotwari settlement in the estate as hereinafter provided, the gross annual ryotwari demand in respect of the estate shall be computed by adding to the ryotwari assessments on cultivable land in the estate (other than

private lands therein) the gross income derived by the Government from the estate in respect of fisheries, forests and mines and minerals, during the complete fasli year commencing—

(i) on the notified date, if such date was the 1st of July, and

(ii) on the 1st of July immediately succeeding the notified date, if such date was not the 1st of July.'

Then we come to clause (*c*).

(*c*) For the purpose of applying the scale of compensation in clause (*d*) below, the basic annual sum referred to in that clause shall be deemed to be—

(1) in the case of estates other than inam villages falling under section 3 (2) (*d*) of the Madras Estates Land Act, 1908, the sum obtained after deducting from one-third of the gross annual ryotwari demand as computed under clause (*b*) (*i*) 8-1/3 per cent of such demand on account of establishment charges and (*ii*) 5 per cent of such demand on account of the cost of maintaining irrigation works in the estate,'

This is the most important portion which enables you to understand how compensation would be increased or enhanced by these figures."

MR. SPEAKER:—"If the hon. Member wants, he can sit and speak. I am prepared to permit him to sit and speak."

SRI T. PRAKASAM:—"I thank the Hon. Speaker for his kindness. When I feel tired, I will ask for your permission to sit down and speak. The difficulty with me has been the bad light. According to clause 6, if the establishment charges at $8\frac{1}{2}$ per cent and irrigation charges at 5 per cent are added, the compensation will automatically increase—one-ninth for establishment charges, one-ninth for irrigation charges and one-ninth for zamindar's commission for the work done by him, that is how the distribution was fixed up.

4-15 p.m. "In this section where compensation is dealt with, the establishment charges are reduced to $8\frac{1}{3}$ per cent and irrigation charges to 5 per cent. On what basis is this done and what is the effect of this reduction? In one case it is $8\frac{1}{3}$ per cent and in another case it is 5 per cent and what is the percentage to be given to the zamindar. If it should be, not $8\frac{1}{3}$ per cent but 1/9th, it would be 11 per cent and if it is 1/10th it will be 10 per cent. When in one case it is $8\frac{1}{3}$ per cent and in the other case 5 per cent and the balance going to the zamindar, the amount of compensation will automatically increase. How is it possible and on what basis that can be done, particularly when the Hon. the Revenue Minister has stated more than once in the statement made by him both in the press and in public that the irrigation sources had not been attended to by the zamindars. When that is the case, how would it be possible to fix these figures at $8\frac{1}{3}$ per

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cent and 5 per cent and for what purpose? Therefore, I say it is a clear proof of the intentions of the Government and the intentions of the framers of this measure.

"In sub-clause (2) it is stated:—

in the case of estates which are inam villages falling under section 3 (2) (d) of the Madras Estates Land Act, 1908, one-half of the sum obtained after deducting from the gross annual ryotwari demand computed as aforesaid (i) $8\frac{1}{3}$ per cent of such demand on account of establishment charges, (ii) 5 per cent of such demand on account of the cost of maintaining irrigation works in the estate and (iii) the annual quit rent or other annual payment of a like nature, if any, payable to the Government in respect of the estate.

'The total compensation payable shall be determined in accordance with the following scale.'

What is the scale and where from has it come or for what purpose? The scale has been introduced here. If it is intended by the draftsmen of the Bill that the compensation should be in accordance with the claim made by the zamindars in their second memorandum, then the whole framework of the Bill should be cut out. There the method of calculation also is indicated by them. The Raja Saheb of Venkatagiri shakes his head. Perhaps I am not putting it in the form he can put it; he is a clever gentleman and when he can put it for himself he can also put it against himself for me. How can a case dealing with zamindars who are rent collectors be dealt with? Rent collectors would be entitled not to compensation on the basis prescribed in the Land Acquisition Act or under section 299 of the Government of India Act. If he is a rent collector he would be entitled not to compensation but for having served as such for such a long time, he may say give me some compensation, relieve me of the duties, here are the records, take them away. It is not so, but the whole basis of this Bill is on the footing that the zamindar is entitled to compensation in this manner. I repudiate that, as I have been repudiating all along. I say, strictly speaking, he will not be entitled to any compensation at all, because it is found that he is only a rent collector and when that agency is terminated and he is requested, 'please allow us to terminate your agency, you have done good service, now we pay you some solatium, you had better take it,' That must be the position. Instead of doing that this Bill proceeds on the basis that he has interest in the land, forest and other things and that the compensation is to be paid on the basis of the calculations made here—$8\frac{1}{3}$ per cent and 5 per cent—so that the compensation is also increased. That must be changed completely.

"Then section 11 deals with the appointment of Settlement Officer and his staff and the work which they have to do. Again section 12 deals with making interim payments of the proprietor, etc. It says, 'after the settled date and before compensation has

been finally determined and apportioned in pursuance of sections 6, 7 and 8, *ad interim* payments shall be made every year to the proprietor and the other persons referred to in section 8, sub-section (1) as follows:—' This section makes it clear that it is not a matter which can be settled immediately. You have provided a rough and ready method of payment of compensation during the interim period. Of course you are right in estimating that it will take four years for these amounts to be ascertained and for the real payment to be made. I want to know when the first payment will be made to the zamindar under this Act. Is there any payment to be made before that? Interim payment is referred to here. Interim payment of what? "

THE HON. SRI KALA VENKATA RAO:—" The interim payment is to cover the period which will be taken for the survey and settlement of the estates. It will not of course be the same in the case of all estates. After this Bill becomes law, on the 1st of February or so we will begin survey and settlement, because we have the parties ready now for the purpose. In the case of small estates it may take a month or two to complete the settlement and therefore this interim payment will only be for this period. In the case of some big estates, if it will take a year, the payment will be for that period. Therefore it is a variable period of time. So I am unable to say what will be the exact date by which it can be completed. The overall period for settlement in respect of all estates has therefore been computed as four years."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" The hon. Member, Mr. Prakasam, wants to know what is the interim payment? "

THE HON. SRI KALA VENKATA RAO:—" I will describe it. It will be based on the basic value fixed under the Act. The present rental will be brought down to a ryotwari rental and only 20 per cent of it will be the interim payment."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" Does it mean advance payment of compensation? "

THE HON. SRI KALA VENKATA RAO:—" Not compensation which we are bound to give only after the final account is settled. Meanwhile he cannot starve and therefore he will be paid a part of the compensation. In addition during the interval an interim payment would be made. It will come to 20 per cent of the ryotwari rental. (A voice: ' Widow's maintenance '.) The hon. Member may call it widow's maintenance, but the hon. Mr. Prakasam calls it something else."

SRI T. PRAKASAM:—" Then, Sir, section 13 says that the Impartible Estates Act will cease to apply on a date to be notified and section 14 deals with deposits and distribution of compensation.

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Section 15 says:—

The Government shall appoint a Commissioner to give effect to the provisions of this Act and in particular, to superintend the taking over of estates, to make due arrangements for their interim administration and the carrying out of survey and settlement operations, and to provide for the introduction of the ryotwari settlement, and the recruitment of the necessary staff.'

'The Commissioner shall be subordinate to the Government and shall be guided by such instructions as they may issue from time to time.'

" You will find, Sir, each section is independent of the other and each section will have to function by itself. Here, when the taking over of the estate actually comes in we can have no idea now. That date will be notified and it has come up in a most dangerous form. The date may be notified in advance, say three months or six months, so that these zamindars would not be hanging on with the Government for this or that with regard to the notification of the estates themselves. It is a highly objectionable procedure which should not be adopted in our Bills. Everything to be notified, everything to be done in future and for everything people should come. Is that the way a statute like this should be put in operation?

'Section 16. The Commissioner shall be assisted by an officer styled the Director of Settlements whose duty it shall be under the supervision of the Commissioner, to carry out the settlement of estates under this Act with the utmost possible expedition.' 4-30 p.m.

" The next section deals with the Manager for the estate and the person employed for the administration of an estate on the notified date shall have to be terminated by giving such person one calendar month's notice. *'Persons whose services are retained shall not form part of any of the existing services of the Government, but shall be grouped into a separate service and shall be governed by such rules as the Government may make in regard thereto.'*

" Section 19 provides provision for existing estate buildings and transitional provisions are given in section 21.

" Now Sir, I shall place before you how the preamble of the Bill should read, and the Bill itself should be headed. It should read as 'A Bill for the repeal of the Permanent Settlement, and abolishing the zamindari system in permanently settled estates and acquisition of the interests of Inamdars and Under-tenure holders in certain other estates and so on.'

" In the preamble itself there should be changes and they should read as follows:—

'Whereas it is expedient to repeal the Permanent Settlement and terminate the services of Zamindars as collection agents in permanently settled estates in the Province of Madras and thus abolish the Zamindari system.'

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" Instead of using the words ' the interest of zamindars, inamdars ', etc., it should be made clear in the preamble itself that the services of the Zamindars as collection agents in permanently settled parts in the Province of Madras are terminated and thus abolish the Zamindari system.

' Whereas it is expedient to repeal the Madras Estates Land Act of 1908 *and acquire the interests of inamdars and under-tenure holders in estates and other areas in the Province of Madras governed by the Madras Estates Land Act of* 1908;

' Whereas it is expedient to introduce a ryotwari settlement in such estates and areas in the Province of Madras; it is hereby enacted as follows

" These words Sir ' Ryotwari settlement ' must be made here because they have got a settled meaning technically.

Clause 1.—*This Act may be called the Madras Estates (Repeal of the Permanent Settlement and Conversion into Ryotwari) Act,* 1947.

(2) *It applies to all Estates as defined in section* 3, *clause* (2) *of the Madras Estates Land Act,* 1908 *and to all inams in relation to which the concerned inamdars are ' Land-holders ' as defined in section* 3, *clause* (5) *of the Madras Estates Land Act of* 1908.

(3) *This section and sections* 23 *and* 25 *shall come into force at once, and the rest of this Act shall come into force in regard to all estates on such date as the Government may by notification appoint within a period not later than six months from the day on which this section comes into operation.*

" I suggest that the time must be fixed as six months so that there will be definiteness about the position.

' Clause 2.—*In this Act unless there is anything contrary or repugnant in the subject or context.*

(1) *All expressions defined in the Madras Estates Land Act,* 1908 *shall have the same respective meanings as in that Act.*

(2) *" Commissioner " means the commissioner appointed under section* 15.'

I wanted that to be defined.

' (3) " Government " means the provincial government as defined in section 3, *clause* (43-a) *of the General Clauses Act,* 1897.

(4) *" Notification " means a notification published in the* ' Fort St. George Gazette."

(5) *" Notified date " in relation to an estate means the date with effect from which the notification issued under section* 1, *sub-section* (3) *in respect of that estate will come into force.*

(6) *" Prescribed " means prescribed by rules made by the Government under this Act.*

(7) *" Landholder " means in relation to Estates under section* 3, *sub-section* 2, *clause* (*a*) *and the first part of clause* (*b*)

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of Madras Estates Land Act of 1908 *the concerned zamindar and in relation to all others shall have the same meaning as in the Madras Estates Land Act,* 1908.

(8) (*a*) " *Ryotwari Settlement* " *means in relation to Estates under section* 3, *sub-section* (2) *clause* (*a*) *and the first part of the clause* (*b*) *of the Madras Estates Land Act,* 1908 *in the introduction of rates of rent prevailing for similar class of lands in such estates in the Southern districts of the Province of Madras unaltered from the time of Permanent Settlement.*

" The word Proprietor used in the line has been deleted and the word ' Landholder ' substituted wherever it occurs.

' (*b*) *in relation to other estates under section* 3 *of the Madras Estates Land Act,* 1908 *and all other areas governed by that Act, the introduction of the ryotwari assessment in the neighbouring ryotwari areas for similar class of lands after cancellation of all enhancement in accordance with the recommendations of the Madras Land Revenue Enquiry Committee* (*Marjoribanks Committee*), *dated 8th July* 1937. '

(9) " *Zamindar* " *means the agent appointed by the Government by or under the Permanent Settlement Regulation,* 1802 *for collection of land revenue from ryots without any rights to the soil and his successors-in-interest by inheritance, survivorship alienation or otherwise.* '

Clause (3).—*With effect on and from the notified date and save as otherwise expressly provided in this Act.*

(*a*) *the Madras Permanent Settlement Regulation,* 1802, *the Madras Estates Land Act of* 1908 *and all other enactments applicable to the estate shall cease to apply thereto,*

(*b*) *the estate shall stand transferred to the Crown and vest in it free of all encumbrances in the same manner as lands in ryotwari areas; and Madras Revenue Recovery Act,* 1864, *the Madras Irrigation Cess Act,* 1865 *and all other enactments applicable to lands in such areas shall apply accordingly to lands in the estate,*

(*c*) *the right which may have accrued to landholders who are zamindars for collection of land revenue from the ryots as agents of Government appointed by or under Permanent Settlement Regulation of* 1802 *and all other rights which may have accrued to zamindars in the capacity of such agents in Estates under section* (2), *clause* (*a*) *and the first part of clause* (*b*) *of the Madras Estates Land Act of* 1908 *shall stand transferred and vest in crown.*

" In this manner, Sir, I have made amendments to the Bill which is presented now so that there will be no difficulty in understanding the intention of the Government. There should also be no difficulty with regard to the methods that should be employed for giving effect to that intention.

" The Hon. the Revenue Minister has tried to explain away the
4-45 1802 rates by stating that it would not be possible to have informa-
p.m. tion regarding prices or the extent of land under cultivation in or about 1802. I may be permitted to submit to hon. Member that the accounts maintained about 1802 and subsequently were perfect accounts and they provided for everything, with regard to prices and with regard to the details of lands cultivated or uncultivated. The reason given by the Revenue Minister is not correct. There is one volume prepared by the Estates Land Act Committee in which graphs were given so that it will be known at a glance how prices were regulated, how they were going up and coming down during famine and other times. The Hon. Minister was simply saying in one word that there is nothing to show how the prices prevailed at that time and he also said that there is no evidence regarding the extent of land, cultivated or uncultivated. The latter statement the Hon. Minister was kind enough to correct by saying that there is no evidence regarding the extension of land under cultivation. This volume shows how the prices were falling during famine years and also points out how zamindars were not entitled to any enhancement of rent when the prices were falling and when the tenants were in trouble. The volume shows price levels under the head ' commutation ' and ' famine ' has been dealt with elsewhere. It shows how crops failed completely or partially either due to drought or famine or floods and how the ryots were affected not merely by way of crops but their houses, cattle and all other things. Such details existed in those days and it is available even to-day. To say that there is no material to show how the prices were going up and down is not the correct way of disposing of the matter and to state that having regard to the changes in money value, we have to give up the 1802 rates as unworkable, is wrong. I may tell you that in the other volume details have been given of the total extent of cultivated land at the time of the Permanent Settlement and it has been shown whether there has been any extension during the whole of the period from that date. Let me take the instance of the Vizianagram estate. There was not even an inch of land by way of extension of cultivation in that estate. To say now at this distance of time that there are no materials in the hands of Government is not fair and proper for the ryots for whose interests the Government is so solicitous and anxious to protect. Therefore, regarding compensation, I say that the only proper basis is 1/9 or 1/10 as fixed up originally; and as regards the rent, the proper basis is the rent determined in 1802 which is applied and enforced in the southern areas up to now. With regard to the varam rate the whole matter was discussed in full as to how they could be fixed and all the labour of the Committee was put into the matter to show how the material was available and how on the basis of that material the varam rates could be commuted into cash rates. There must be no difficulty for Government to accept that. It is not too late yet; because they did not accept it at an earlier stage, it does not mean that they should be sticking to it even now. Their view should be revised. What are the people called upon to pay by means of this statute; they have to

pay the ryotwari rate as it exists to-day and that is easily ascertainable. I was talking about that elsewhere; I believe it was in connexion with the Rent Reduction Bill. Let us take the Pittapuram estate. The present annual income of the estate is Rs. 8,00,000. The ryotwari rate that is now proposed to be substituted is about Rs. 7,00,000. What is the relief, only one lakh of rupees and the poor tenant as soon as he becomes a ryotwari tenant and pays at the ryotwari rate, has attained his salvation! What was the original rental at the time of the Permanent Settlement; it was less than Rs. 4,00,000, to be correct about Rs. 3 lakhs 99 thousand and odd. Hon. Members would realize the extent of the relief that would be afforded if we take the 1802 rates as the basis. It has to be remembered that it is backed up by the enforcement of the same rates in the southern zamindaris. What more proof can anybody produce before a court of law or a Legislature; it does not require much to argue and convince hon. Members of this House. Hon. Members will realize that their decision is higher than the highest courts of the land. The Federal Court there may be or the Supreme Court may exist or the High Court may exist but this Legislative Assembly has got a right to modify or cancel any decision given by a High Court and make an enactment in the interests of the country and of the people. Under the new dispensation after the 15th August, what is the kind of relief that is expected of us? What is the kind of method that is expected to be adopted by the Legislature? It is not certainly the old method, the British method that was planned 150 years ago for the purpose of enforcing the rule and for the purpose of getting money from the unfortunate ryots. When they took charge of the whole thing, the lands were not held under the ryotwari system; we had a system which kept up the community intact and which made them strong for any purpose. The whole of that was destroyed by the East India Company to facilitate their collection work. For facilitating their collection, this system was introduced by them. I would invite the House just to look into the Karnam's Regulation which is as old as the Permanent Settlement Regulation to see how many accounts he has to maintain and what details he should furnish with regard to land, cattle or property. The British Government wanted to establish themselves in this country permanently and they thought they would be here for ever. Are we to follow up the whole of that thing now? Are you going to do it when you have all come to legislate for the benefit of the poor people who have been kept away from their legitimate rights all these years? What have you given them now? What is the good of simply praising them; what is the good of flattering them or expressing our mourning over their plight? The time has come when all the rules and regulations framed by the British Government for getting the whole population of this country tied up in a net should be cancelled. They have built up a revenue system and have built up an official chain from the karnam to the Secretary of State. For what purpose is it and what is the amount spent over the revenue establishment and what is the balance left in the hands of the poor ryots and where are they to find the

money? Was any consideration given to the fact whether he has got anything for his pot to cook; he has to sell what little he has; he has to sell the small trinket of the jewels that his wife wears and pay it into the hands of the revenue or the rent collector according to the rules and laws that are in force. After the 15th August, after you have taken charge, I want to give relief to those people immediately so that they will not be under any more trouble."

MR. SPEAKER:—" The hon. Member might finish if he can or he can continue his speech to-morrow."

SRI T. PRAKASAM:—" I will continue my speech tomorrow."

IV.- SITTINGS OF THE HOUSE.

5 p.m. M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" Before we adjourn for the day, may I know, Sir, what is the programme regarding the future transaction of business in this House?"

MR. SPEAKER:—" There is no change in the programme I have already announced. To-morrow at the end of the forenoon sitting we adjourn and meet again on the 9th instant, and from the 9th till the 15th or so the House will sit."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" Sir, of course, we realize it is for the Government to draw up the programme of work, but in doing so, Government must also consider the convenience of the Members of the House. The rules are made for the convenience of the House as well as the Government. Therefore I have represented to you, Sir, yesterday that there are some Members who feel . . ."

MR. SPEAKER:—" And I on my part have represented to Government that they should try to accommodate Members of the House . . ."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" Now, Sir, my request is not on behalf of members of my party, but I may say members of all groups find it inconvenient to this arrangement of adjourning on the 4th instant and re-assembling on the 9th instant. Several of us have to go home, and we feel this interval of four days is not sufficient for them. It will put them to great inconvenience, and therefore I request to see that there is a longer interval than four days, or we shall sit at a stretch till the 9th and finish the work and break up."

MR. SPEAKER:—" But the Upper House is meeting to-morrow?"

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" Why not. both Houses sit simultaneously."

MR. SPEAKER:—" But we have only a limited number of Reporters."

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M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" Sir, it has come to this: while this House has to see to the convenience of everybody else there is nobody to see to the convenience of this House." (Laughter.)

SRI T. VISWANATHAM:—" May I repeat my request I made yesterday. There are twelve Members of this House who have got to attend the Senate and Convocation of the Andhra University. It would be very graceful on the part of Government to accommodate us. We have to start on the 10th instant for Waltair and can return only on the 15th instant. I would therefore ask the Leader of the House not to insist on his own arrangement but to accommodate such of those who want to go to Waltair."

SRI K. R. KARANTH:—" On behalf of those Members who come from a long distance, of whom there are four or five here, I have to submit, we have to return to our places and for that the journey itself takes full 24 hours, and to return to Madras also it takes full 24 hours and thus there is hardly any time for us to go and come back. In the last three months, unlike in the previous Legislature, we do not know when our sitting commences and when it ends. (Some voices: 'Hear, hear.') After all we have other business to attend to and make some living. Therefore instead of adjourning to-morrow and re-assembling on the 9th, it would be better to have a longer interval."

MR. SPEAKER:—There is another difficulty. The 9th instant has been fixed by His Excellency the Governor as the date for the presentation of the Supplementary Budget."

SRI K. R. KARANTH:—" In the past His Excellency was pleased to alter the date. After all the convenience of 215 Members is more important. So instead of the 9th, if the 15th instant is suggested His Excellency would be too good to accommodate us. We have to go a long way within these five days; we have to go a distance of 550 miles to reach our place, which takes full 24 hours and to finish our journey back we have to cover a distance of 550 miles and this too takes full 24 hours."

(At this stage several members stood up to speak.)

THE HON. DR. P. SUBBARAYAN:—" Sir, I cannot speak if everybody wants to speak at the same time."

M. MUHAMMAD ISMAIL SAHIB BAHADUR:—" They only say the Leader of the House is very reasonable and accommodative."

THE HON. DR. P. SUBBARAYAN:—" It is a very difficult position I am placed in. There is Government legislation which has got to be gone through. The Upper House also has got to sit and finish the work that has been finished here. And I have to tell you that in the Legislative Department of which I happen to be in charge as well there are not enough Reporters who will be able to function if both Houses meet at the same time. I am thinking seriously why I should not persuade my Hon. Colleague, the

Finance Minister, to make some arrangement by which both Houses could meet at the same time so that Ministers in this House as well as in the Upper House could take care of the work of Government in both places. But situated as we are, it is very difficult to do this at present. But as I said, I promise to consider this with the Finance Minister. But at present as arranged, we have to take note of the Upper House as well, who are to meet to-morrow afternoon, and they have their business well on till the 8th. Because of the difficulty of Reporters we cannot meet before the 9th instant. You know yourself, Sir; and hon. Members are aware of it, as I am, that there is a large amount of legislative work pending before the House, and it is important for the Government to go through it as early as possible. I do not want to curtail the rights of members to express their views and opinion. But I am quoting a well-known statement of Mr. Asquith, when he said in the House of Commons, that things that could be said in five hours could very well be put in 45 minutes, and as though to show his capacity to do this, as Chancellor of the Exchequer in 1908, the general budget speech which used to take him three to four hours, Mr. Asquith finished with all the statements of ways and means and taxation proposals and how he proposed to get rid of the deficit in 45 minutes. And therefore Mr. Asquith was as true as his word, and I hope hon. Members here will follow this precedent. Because every one knows his arguments, and they could be put in a shorter time than what has been happening in this House. Personally, Sir,

SRI T. PRAKASAM:—" Sir

(The Hon. Dr. P. Subbarayan did not yield.)

MR. SPEAKER:—" The Hon. the Leader of the House is not yielding."

THE HON. DR. P. SUBBARAYAN:—" Perhaps the hon. Member wants to rise on a point of order." (So saying he yielded.)

SRI T. PRAKASAM:—" On a point of order, Sir, the Hon. the Leader of the House has been delivering a sermon to the members of the House to regulate their conduct with regard to speeches. I do not think, having regard to the experience we have had here, members here are indulging in long speeches. A person like myself has been vigilantly watching the proceedings and sometimes I have been idly witnessing all kinds of performances here. So may I request we may be spared this sermon. We, members, know our duty well. It is the duty of the Government to draw up the agenda to suit all sides of the House so that no one be put to the necessity of asking for concession."

THE HON. DR. P. SUBBARAYAN:—" Sir, I yielded as I thought the hon. Member was raising a point of order. I do not see any point of order in my hon. Friend's remarks, or rather in my respected leader, if I may call him so. I was not disparaging

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any member. I was only pointing out that you and the Government are entirely in the hands of the House, and at the same time the programme of legislation that has been brought forward has got to be gone through. Therefore I was respectfully submitting to hon. Members that if there are arguments that they want to advance, they could be advanced in a shorter manner. I was only submitting it for their consideration. I myself yesterday agreed that I was prepared to allow Sri Prakasam one full day to speak because of his intimate knowledge of land revenue and Estates Land Act."

SRI T. PRAKASAM:—" Sir, with regard to Bills, there are rules prescribing to what extent members can speak and all that. No member has taken more time in this House. I know in the Central Assembly when it was presided over by Mr. Vithalbhai Patel how one hon. Member argued for full four days, and yet the President could not ask him to sit down because the rules did not forbid it."

THE HON. DR. P. SUBBARAYAN:—" May I remind hon. Members, if that is to happen here, there is such a thing as guillotine in the House of Commons. (Mr. Muhammad Raza Khan: 'We are tired of your House of Commons.) But I have to acquaint the House with the practice. I would like to submit, Sir, that if that kind of practice is to go on here, Government will have to reconsider the method and manner of legislation and to bring in the rules of guillotine, which was done, if I may remind hon. Members, because of the obstructive attitude of Irish members. (Laughter.) (A voice: 'There are no Irish members here.') There may not be Irish members over there; but there may be Irish members within the Government, if I may say so. Therefore I feel we have got to keep to our programme and I would like every member to consider the amount of legislation that has to be gone through and as the amount of time that is before this House is very short, I am afraid, Sir, I cannot change the programme which has already been set down."

MR. SPEAKER:—" With regard to the daily allowance and Travelling Allowance? "

SEVERAL VOICES:—" We do not want anything from the Government."

MR. SPEAKER:—" I now adjourn the House till to-morrow eleven o'clock."

Finance (Pal)

The question has been answered in L.A. Please see the pp 1062 - 1063 of the extracts of the printed proceedings pasted on pp (8 to 9) above Proceedings No further action is necessary. The papers may be forwarded for future reference to

G.O. No. 64 Fin dated 20.1.68.

Recorded.

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20.1.68.

Abstract.

L.A. Qu. No. 542 - Revision of Scale of pay of Sub Civil Subl Service - Answered - Papers - Records.

True Copy

Superintendent 19/1/68

Madras Records Office.

19/1/68